

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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J. MARK LANE and JAMES SEARS,	:	
	:	
Plaintiffs,	:	
	:	
- against -	:	
	:	Case No. 22 Civ. 10989 (KMK)
STEVEN G. JAMES, in his official capacity as	:	
Acting Superintendent of the New York State	:	
Police, and MIRIAM E. ROCAH, in her official	:	
capacity as District Attorney for the County of	:	
Westchester, New York,	:	
	:	
Defendants.	:	
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DECLARATION OF PROFESSOR JACLYN SCHILDKRAUT

Pursuant to 28 U.S.C. § 1746, I, Jaclyn Schildkraut, declare and state as follows:

1. I have been asked to render an opinion by the Office of the Attorney General of New York on the role of assault weapons in mass shootings, including the impact of this association on the public's perceptions of their personal safety.

2. This declaration is based on my own personal knowledge, research, and experience, and if I am called to testify as a witness, I could and would testify competently to the truth of the matters discussed in this declaration.

BACKGROUND AND QUALIFICATIONS

3. I currently serve as the Executive Director of the Regional Gun Violence Research Consortium at the Rockefeller Institute of Government, a role that I have held in some capacity (e.g., interim, permanent) since February 2022. I was an associate professor of Criminal Justice at the State University of New York from September 2014 until February 2024. I earned my Ph.D.

in Criminal Justice from Texas State University in 2014, my M.A. in Applied Sociology from the University of Central Florida in 2011, and my B.S. in Interdisciplinary Studies, with a focus on criminal justice and behavioral sciences, from the University of Central Florida in 2009. A true and correct copy of my curriculum vitae is attached as **Exhibit A** to this declaration.

4. I am a national expert on the topic of mass public shootings. I have been studying and writing about this topic for more than fifteen years. I have written five books on firearm-related issues, three of which directly focused on mass shootings (*Mass Shootings: Media, Myths, and Realities*, 2016; *Mass Shootings in America: Understanding the Debates, Causes and Responses*, 2018; *Columbine, 20 Years Later and Beyond: Lessons from Tragedy*, 2019), and currently have two additional books under contract. Between 2012 and the date of this declaration's filing, I have published thirty-eight peer-reviewed scholarly articles on issues related to mass public shootings in journals such as *Homicide Studies*, *American Journal of Criminal Justice*, *Crime Prevention and Community Safety*, *the ANNALS of the American Academy of Political and Social Science*, *Journal of School Violence*, and *Criminal Justice Policy Review*, as well as nine book chapters and seven policy briefs. I also have presented at professional conferences on this topic thirty-three times in addition to fifty-four invited presentations for organizations across the United States. My expertise is routinely sought out by the local, national, and international media and I have been featured in more than 400 interviews across television, radio, and print and online news outlets including, but not limited to, CNN, Fox News, ABC, NBC, CBS, BBC, *The New York Times*, *The Washington Post*, *The Wall Street Journal*, *USA Today*, *Newsweek*, *The Guardian*, the Associated Press, and Reuters.¹ Further, I have previously submitted *amicus curiae* briefs in the cases of *Antonyuk, et al., v. Bruen* (Civil Action No. 1:22-CV-00734-GTS-CFH, Northern District of New

¹ A full list of media appearances for Dr. Schildkraut is available at <http://www.jaclynschildkraut.com/in-the-news/>.

York) and *McGregor, et al., v. Suffolk County, New York, et al.* (Civil Action No. 2:23-CV-01130-GRB-ARL, Eastern District of New York) related to mass shootings and their relationship with existing laws in New York State, where I am a resident.

5. This declaration was compiled and completed outside of my official duties for the Regional Gun Violence Research Consortium and the Rockefeller Institute of Government. Moreover, the contents and opinions expressed in this declaration are solely my own, and not those of the Regional Gun Violence Research Consortium, the Rockefeller Institute of Government, or the State University of New York.

6. I have received compensation in the amount of \$7,500 for this declaration. This is calculated at twenty-five hours of work, including research time, billed at \$300 per hour. If I was called upon to provide a deposition or testimony, my rate would be the same.

SUMMARY OF OPINIONS

7. Mass shootings in the United States continue to be a cause for concern among policymakers and members of the public. Importantly, how the term “mass shooting” is defined varies across researchers as well as governmental agencies.² Definitions can vary based on victim counts (e.g., three vs. four) as well as whether the threshold is based on a number of people *killed*³ or a number of people *shot*.⁴ Still, relying on a numerical fatality or casualty count to define an incident is problematic for two main reasons: (1) if focusing on a specific number of fatalities, definitions fail to account for circumstances in which persons shot survive their injuries, including

² Jaclyn Schildkraut & H. Jaymi Elsass, *Mass Shootings: Media, Myths, and Realities* (2016); see also Joshua D. Freilich, Steven M. Chermak & Brent R. Klein, *Investigating the Applicability of Situational Crime Prevention to the Public Mass Violence Context*, 19 *CRIMINOLOGY & PUBLIC POLICY* 271 (2020).

³ USA Today, et al., *Mass Killing Database: Revealing Trends, Details and Anguish of Every US Event Since 2006*, <https://www.usatoday.com/in-depth/graphics/2022/08/18/mass-killings-database-us-events-since-2006/9705311002/> (last visited Apr. 28, 2024).

⁴ *General Methodology*, GUN VIOLENCE ARCHIVE, <https://www.gunviolencearchive.org/methodology> (last visited Apr. 28, 2024).

what type of weapon they are shot with, where on their person they are hit, how fast medical assistance is rendered, distance to a trauma center, and other factors; and (2) if focusing on a specific number of casualties (fatalities or injuries), definitions fail to consider the perpetrators' intentions to harm greater numbers of people even if they were unable to do so. As a result of this definitional confusion and depending on the data set analyzed, the number of mass shootings in the United States can vary greatly, from approximately 20 incidents⁵ to more than 600⁶ per year.

8. For the purposes of this declaration, “mass shooting” is defined as:

[A]n incident of targeted violence carried out by one or more shooters at one or more public or populated locations. Multiple victims (both injuries and fatalities) are associated with the attack, and both the victims and location(s) are chosen either at random or for their symbolic value. The event occurs within a single 24-hour period, though most attacks typically last only a few minutes. The motivation of the shooting must not correlate with gang violence or targeted militant or terroristic activity.⁷

This definition is chosen as it overcomes the limitations of arbitrary casualty counts and instead focuses on both intent and context. The latter is particularly important to ensure that all incidents analyzed (i.e., mass public shootings) are comparable rather than having qualitative differences that make such comparisons impossible.⁸

⁵ USA Today, et al., *supra* note 3.

⁶ Gun Violence Archive, *supra* note 4.

⁷ Schildkraut & Elsass, *supra* note 2 at 28. We later clarified the element of “terroristic activity” in their definition as incidents like the shootings in San Bernardino, CA (2015) and Orlando, FL (2016) revealed that the perpetrators drew inspiration from or pledged allegiance to the Islamic State in Iraq and Syria (ISIS). Thus, the definition excludes group-sponsored killings but does not omit shootings perpetrated by ideologically motivated lone actor perpetrators.

⁸ For example, mass public shootings are typically premeditated well in advance, which creates a significant window of time for individuals to detect the plot, intervene, and ultimately prevent the shooting. Other types of mass shootings, such as those included in the Gun Violence Archive data, can occur when a fight at a bar escalates and someone who has a weapon on them starts shooting; this is qualitatively different as it is not premeditated.

9. Between August 1, 1966, which represents the start of the second wave of mass shootings,⁹ and December 31, 2023, there were 455 mass shootings meeting this definition.¹⁰ These events claimed the lives of 1,636 people, injured 2,403 others, and impacted communities across the United States. During this period, New York State experienced twenty mass shooting events, which claimed sixty-five lives and injured eighty-five other residents; the most recent of these was the May 14, 2022, shooting at the TOPS grocery store in Buffalo, NY (see **Exhibit B**).

10. Mass shootings in the United States have and continue to increase in frequency (see **Exhibit C**). In addition to more events occurring annually, the number of casualties – both fatalities and injuries – also has been steadily increasing over time (see **Exhibit D**).¹¹

11. The New York State definition of “assault weapon”¹² includes provisions for semiautomatic assault-style pistols and shotguns to be classified under this label. In this declaration, however, I focus on semiautomatic assault-style rifles and their use during mass shooting events.

⁹ Grant Duwe, *The Patterns and Prevalence of Mass Murder in Twentieth-Century America*, 21 JUSTICE QUARTERLY 729 (2004). Duwe notes that the period beginning with the August 1, 1966, shooting in Austin, TX, represents the second wave of mass murder. This second wave is characterized by the public mass shootings that are the focus of this declaration. By comparison, the first wave of mass murder, which occurred in the 1930s and 1940s, were more likely to include familicides (the killing of one’s family) as individuals were unable to support their spouses and children during the Great Depression era and instead killed them.

¹⁰ Jaclyn Schildkraut & H. Jaymi Elsass, *Can Mass Shootings Be Stopped? To Address the Problem, We Must Better Understand the Phenomenon* (2023), <https://rockinst.org/issue-area/2023-can-mass-shootings-be-stopped/> (last visited Apr. 28, 2024). This report examined mass shootings occurring between 1966 and 2022. Data for 2023, maintained by the author of the report and this declaration, were added to provide the most current evaluation. All statistics presented here within, unless otherwise noted, are derived from these analyses.

¹¹ In addition to our own research, other studies confirm these increases in incidence and impact. See, for example, Sherry Towers, Danielle Wallace, & David Hemenway, *Temporal Trends in Public Mass Shootings: High-Capacity Magazines Significantly Increase Fatality Counts, and Are Becoming More Prevalent*, (2019), <https://www.medrxiv.org/content/10.1101/2019.12.12.19014738v1> (last visited Apr 28, 2024).

¹² NY Penal Law § 265.00(22).

I. Incidence and Outcomes of Semiautomatic Assault-Style Rifle Use in Mass Shootings

12. The findings reported in this section are based on analyses of a database I built in 2012 as part of my dissertation research¹³ and have since maintained. The establishment of this database began with case identification. Open-source keyword searches across multiple search engines (e.g., Google, Lexis-Nexis) and newspaper archives (e.g., NewspaperArchive.com, Newspapers.com) were conducted to establish a universe of cases that were described as “mass shootings” occurring between August 1, 1966, and December 31, 2012. Since, however, not all open-source reports (e.g., media) use the same terminology, multiple search phrases (e.g., mass shooting, school shooting, active shooter, rampage shooting) were used to be as inclusive as possible. Once the searches were exhausted, meaning that no new cases were found, the universe of events I had collected then were culled to meet the study’s definition.^{14,15} Once the case list was finalized, data were collected on a range of variables for each shooting, including both individual¹⁶ and event-level¹⁷ characteristics. Although the majority of these characteristics are objective rather than subjective, meaning that they are fact-based rather than open to interpretation, data for each variable was triangulated across at least three sources to ensure accuracy of the information

¹³ Jaclyn Schildkraut, *Mass Murder and the Mass Media: An Examination of the Media Discourse on U.S. Rampage Shootings, 2000-2012* (2014) (Ph.D. dissertation, Texas State University).

¹⁴ Although our actual definition was not established until the authoring of our book in 2016, the description used in my dissertation largely mirrored this and informed our final definition. This was based off Katherine Newman and colleagues’ definition of “rampage shootings” in their seminal book *Rampage: The Social Roots of School Shootings*. An expansion of this application was later recommended in a commentary by John Harris and Robin Harris, who suggested that there should be a broader examination of mass shootings occurring outside of schools as these incidents did not vastly differ from those occurring in educational institutions. See John M. Harris Jr. & Robin B. Harris, *Rampage Violence Requires a New Type of Research*, 102 AMERICAN JOURNAL OF PUBLIC HEALTH 1054 (2012).

¹⁵ As part of updating the database for our 2016 book, each case was validated by myself and H. Jaymi Elsass to ensure that they met the definitional criteria for inclusion.

¹⁶ Individual-level variables include the perpetrators’ name, age, sex, and race, as well as whether they died or were killed in the event.

¹⁷ Event-level characteristics include the date, day of week, and time of the shooting; location (city, state, region); location type (e.g., school, workplace, place of worship); whether multiple shooters were present; number of casualties (i.e., killed, injured, total); presence of multiple weapons; presence of weapon type (i.e., handgun, shotgun, rifle); and presence of a semiautomatic assault-style rifle.

included in the database. Following the completion of my dissertation and through the time of this writing, I have maintained this database and regularly update it with new cases as they occur.¹⁸

13. Nearly one out of every four (24.0%) mass shootings occurring between August 1, 1966, and December 31, 2023, were perpetrated using one or more semiautomatic assault-style rifles. In 46.8% of these cases, the semiautomatic assault-style rifle was the only type of firearm used; in the remaining 53.2%, these weapons were used in conjunction with a handgun and/or shotgun. The semiautomatic assault-style rifle often was the primary weapon in these cases, with the others used as backups or used in other capacities (e.g., the use of a handgun by the perpetrator in a suicide that followed the mass shooting, such as in the case of the 2012 mass shooting at Sandy Hook Elementary School in Newtown, CT¹⁹).

14. The use of semiautomatic assault-style rifles by mass shooting perpetrators has increased over time. Figure 1 (see Page 8) depicts the proportion of mass shootings between 1966 and 2023, in five-year intervals, in which one or more semiautomatic assault-style rifles were used.²⁰ It bears noting that there is considerable variation in the number of events in each interval. During the 1976-1980 interval, for example, there were just six mass shootings in total, in which three (50%) involved the use of one or more semiautomatic assault-style rifles. By comparison, the period of 2016-2020 includes seventy-seven shootings, of which twenty-eight (36.4%) involved at least one semiautomatic assault-style rifle. To account for differences in denominators,

¹⁸ Since 2015, media monitoring via weekly alerts from Google set for the same series of search terms (mass shooting, school shooting, active shooter, rampage shooting) has been used to continue to identify cases and supplement the original process. Cases included in the emails received via these alerts are reviewed to ensure their consistency with our established definition. We also conduct an annual audit of each year's data for validated before any information is published.

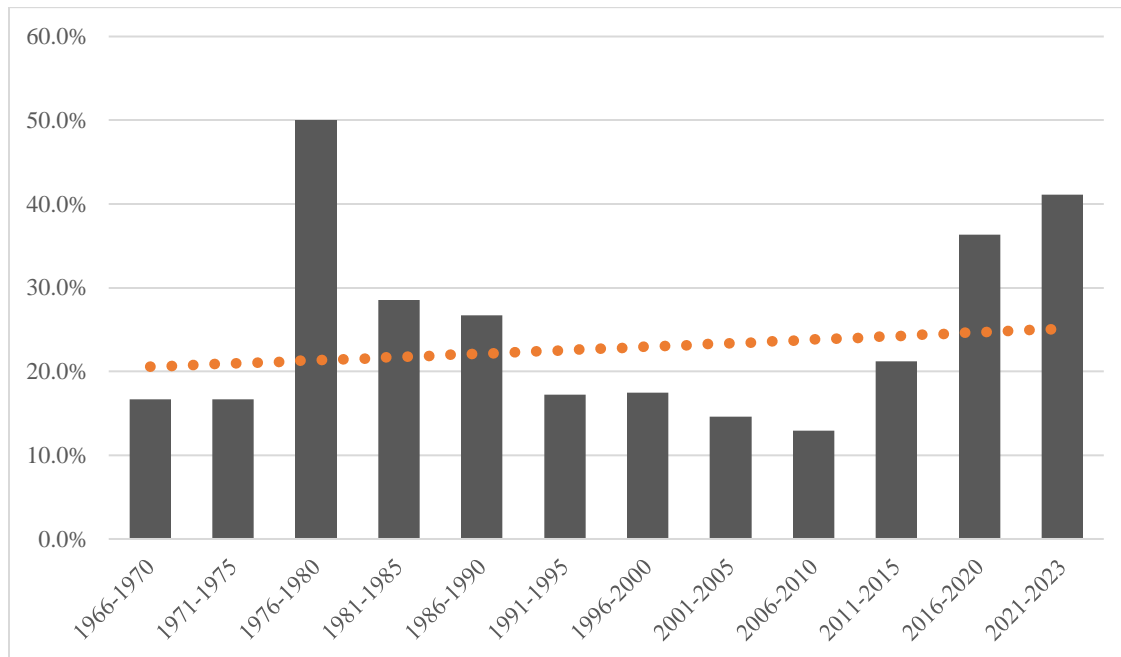
¹⁹ James Barron, *Nation Reels After Gunman Massacres 20 Children at School in Connecticut*, THE NEW YORK TIMES, Dec. 14, 2012, <https://www.nytimes.com/2012/12/15/nyregion/shooting-reported-at-connecticut-elementary-school.html> (last visited Apr. 28, 2024).

²⁰ Calculated as the number of mass shootings using semiautomatic rifles divided by the total number of mass shooting incidents for that particular interval.

the included trendline (in orange) depicts the overall change in use of semiautomatic assault-style rifles by mass shooters. As illustrated, there is a continual increase in the proportion of mass shootings perpetrated using a semiautomatic assault-style rifle over the fifty-seven years analyzed.

Figure 1

Proportion of Mass Shootings Involving a Semiautomatic Rifle, Five Year Intervals



15. The use of semiautomatic assault-style rifles in mass shootings translates to considerably higher casualty counts (fatalities plus injuries).²¹ In the 109 shootings where a semiautomatic assault-style rifle was used, there were 640 fatalities, averaging 5.9 fatalities per

²¹ In addition to analyses using my database, other research studies have found similar disparities in casualties when semiautomatic assault-style rifles are used by mass shooters compared to other types of firearms. See, e.g., Charles DiMaggio et al., *Changes in US Mass Shooting Deaths Associated with the 1994–2004 Federal Assault Weapons Ban: Analysis of Open-Source Data*, 86 JOURNAL OF TRAUMA AND ACUTE CARE SURGERY 11 (2019) (finding that shootings with “assault rifles” accounted for 85.8% of all fatalities in mass shootings occurring between 1981 and 2017); Matthew P. Czaja et al., *Nonfatal Injuries Sustained in Mass Shootings in the US, 2012–2019: Injury Diagnosis Matrix, Incident Context, and Public Health Considerations*, 24 WEST J EMERG MED 552 (2023) (finding that 94% of deaths in thirteen mass shootings between 2012 and 2019 were the result of semiautomatic assault rifle use); Emily Ann Greene-Colozzi & Jason R. Silva, *Contextualizing Firearms in Mass Shooting Incidents: A Study of Guns, Regulations, and Outcomes*, 39 JUSTICE QUARTERLY 697 (2022) (finding that the overall casualty rate of mass shootings increases by 55%-58% when a semiautomatic assault-style rifle is used).

case. By comparison, in the 346 cases in which a semiautomatic assault-style rifle was not used, there were 996 fatalities, or an average of 2.9 deaths per shooting. Therefore, shootings in which a semiautomatic assault-style rifle was used were more than twice as lethal as those in which a handgun or shotgun was employed.²² Moreover, between 1966 and 2023, there were thirty shootings in which ten or more individuals were killed. Of these incidents, more than half (18 or 60.0%) were carried out using a semiautomatic assault-style rifle.²³

16. The disparity in casualty counts is even more pronounced when comparing injury counts. In the 109 shootings involving a semiautomatic assault-style rifle, there were 1,272 people who sustained non-fatal gunshot injuries.²⁴ This translates to an average of 11.7 persons injured per shooting in which a semiautomatic assault-style rifle was used. In the 346 shootings where such a firearm was not used, there were 1,131 people who sustained gunshot injuries, averaging 3.3 injured persons per case. Thus, when looking at injuries sustained in mass shootings, there are three-and-a-half times more people who are injured when a semiautomatic assault-style rifle is employed as compared to when a handgun or shotgun is used.^{25,26}

²² See also Joshua D. Brown & Amie J. Goodin, *Mass Casualty Shooting Venues, Types of Firearms, and Age of Perpetrators in the United States, 1982–2018*, 108 AMJ PUBLIC HEALTH 1385 (2018) (finding that the average number of fatalities using an assault rifle versus a handgun in mass shootings occurring between 1982 and 2018 were 11.6 to 7.5 and the average number of injuries were 9 and 3, respectively).

²³ At least four other shootings involving ten or more fatalities were perpetrated using semiautomatic handguns that would be prohibited under New York’s assault weapons ban.

²⁴ This figure includes firearm injuries only. Figures reported after the 2017 Las Vegas shooting listed 869 number of injuries; however, 413 were from gunshots or shrapnel with the remainder sustained during trying to escape (e.g., cuts, bruises, broken bones). See Joseph Lombardi, *LVMPD Criminal Investigation Report of the 1 October Mass Casualty Shooting* (2018), <https://www.lvmpd.com/home/showpublisheddocument/134/638298568313170000> (last visited Apr. 28, 2024).

²⁵ When the number of casualties from gunfire in Las Vegas are excluded, the remaining 108 shootings yielded 859 injured victims, or an average of 8.0 injuries per shooting. This is still nearly two-and-a-half the average number of injured persons than shootings involving handguns or shotguns.

²⁶ Research similar to that which is presented here but using an alternate definition (“active shooter” from the Federal Bureau of Investigation) and dataset confirms the trends related to mass shootings perpetrated with and without semiautomatic rifles. See Elzerie de Jager et al., *Lethality of Civilian Active Shooter Incidents With and Without Semiautomatic Rifles in the United States*, 320 JAMA 1034 (2018).

II. The Physical Impacts of Semiautomatic Assault-Style Rifles in Mass Shootings

17. Given the disparities in both fatalities and injuries caused by semiautomatic assault-style rifles as compared to handguns during mass shooting events, considerations as to why are warranted. Differences in the casualties caused by these two types of firearms can be attributed to several key factors including (but not limited to): (1) the kinetic (or muzzle) energy of the bullet,²⁷ (2) proximity to weapon type (i.e., distance between the perpetrator and their intended target(s)),²⁸ and (3) where on the victim's body the injury was sustained.²⁹

18. Injury caused by bullets is due to the transfer of the projectile's kinetic energy into the target (i.e., the person shot).³⁰ Kinetic energy³¹ is calculated using the following equation:

$$KE = \frac{1}{2}MV^2$$

Here, M is the mass of the bullet and V is its velocity. For firearms, the mass typically is operationalized as the caliber of the ammunition,³² which reflects its size (measured in grains of metal) or, more specifically, its diameter (width).³³ The velocity, however, is actually more important when determining the potential for injury because its doubling increases the energy four-fold, whereas doubling the mass only doubles the energy.³⁴ Semiautomatic assault-style rifles are considered high velocity, with projectiles traveling at rates between 1,500 and 4,000 feet per

²⁷ Peter Rhee et al., Gunshot Wounds: A Review of Ballistics, Bullets, Weapons, and Myths, 80 THE JOURNAL OF TRAUMA AND ACUTE CARE SURGERY 853 (2016). See also Cody Jorgensen & Benjamin P. Comer, Bringing the Firepower: Examining Muzzle Energy and Caliber of Ammunition in the Context of Mass Shootings, 37 CRIMINAL JUSTICE STUDIES 1 (2024).

²⁸ Andrew Atia et al., Distribution of Wounding Patterns in Casualties from Mass Shooting Events, 25 TRAUMA 99 (2023).

²⁹ *Id.*

³⁰ Babak Sarani et al., Wounding Patterns Based on Firearm Type in Civilian Public Mass Shootings in the United States, 228 JOURNAL OF THE AMERICAN COLLEGE OF SURGEONS 228 (2019). See also Rhee et al., *supra* note 27.

³¹ Other researchers describe this kinetic energy as “muzzle energy,” referring to the energy of the bullet as it leaves the muzzle of the firearm. See Jorgensen & Comer, *supra* note 27.

³² Jorgensen & Comer, *supra* note 27.

³³ Alex Yablon, *The Simple Physics That Makes Some Bullets Deadlier Than Others*, THE TRACE (2017), <https://www.thetrace.org/2017/06/physics-deadly-bullets-assault-rifles/> (last visited May 5, 2024).

³⁴ Rhee et al., *supra* note 27.

second, often exceeding 2,500 feet per second.³⁵ By comparison, bullets fired from handguns are lower velocity, traveling at rates between 700 and 1,500 feet per second, though generally less than 1,000 feet per second.³⁶ Consequently, higher velocity weapons often cause greater injury to victims,³⁷ even if larger caliber bullets are used in lower velocity weapons (e.g., handguns), as the projectiles from them will hit a target with more force at comparable distances and, consequently, disburse more kinetic energy into the target.³⁸ The velocity of the bullet also may contribute to its stability, or how it travels once it comes in contact with the intended target. Rounds fired from a handgun, for example, tend to remain relatively stable and travel in a straight line unless they come in contact with bone.³⁹ Conversely, high-energy bullets tend to lose stability as they decelerate, which can cause them to fragment or tumble.⁴⁰ This can lead to stretching or tearing of the tissue along the bullet's path.⁴¹

19. In the context of mass shootings, the amount of kinetic energy disbursed has been found to be positively associated with both the number of people killed and the number of total casualties.⁴² Specifically, higher muzzle (kinetic) energy leads to significantly more deaths, with a difference of two more fatalities per incident, on average, over low muzzle energy firearms and a 31% increase in the number of expected deaths.⁴³ Similarly, shootings conducted using firearms with high muzzle energy also produce significantly higher numbers of total casualties (fatalities

³⁵ Rhee et al., *supra* note 27; Sarani et al., *supra* note 30.

³⁶ *Id.*

³⁷ Sarani et al., *supra* note 30.

³⁸ Jorgensen & Comer, *supra* note 27; Yablon, *supra* note 33. See also N. Kirkpatrick, Atthar Mirza & Manuel Canales, *The Blast Effect: How Bullets from an AR-15 Blow the Body Apart*, WASHINGTON POST (2023), <https://www.washingtonpost.com/nation/interactive/2023/ar-15-damage-to-human-body/> (last visited May 6, 2024) (noting that the cartridge of a .223-caliber round typically used in semiautomatic assault-style rifles “holds enough propellant to send the bullet flying out of the barrel at a speed that would cross six football fields in a second” while heavier 9mm rounds for handguns “don’t hold enough gunpowder to match the velocity of the .223.”).

³⁹ Rhee et al., *supra* note 27.

⁴⁰ *Id.* See also Wallace, *supra* note 43.

⁴¹ Rhee et al., *supra* note 27.

⁴² Jorgensen & Comer, *supra* note 27.

⁴³ *Id.*

plus injuries), with an average difference of nearly seven victims more per incident, on average, than low energy firearms such as handguns and a 96% increase in the expected count of victims.⁴⁴ It bears noting that, in this study, the caliber of ammunition used was not statistically significantly correlated with the number of expected deaths or total casualties.⁴⁵ In sum, high velocity weapons like semiautomatic assault-style rifles produce more kinetic energy, which is then transferred to the target, thereby increasing the likelihood of greater injury being caused.⁴⁶

20. With rare exception,⁴⁷ there is limited distance between perpetrators and victims during mass shooting events. This distance is important to consider as it impacts the velocity of the bullet(s) that, in turn, affects the wounding power of the bullet.⁴⁸ Once a bullet is fired, it begins to decelerate the further away from the firearm it gets. As the velocity decreases, so too does the kinetic energy that the bullet deposits once it makes contact with the target. Thus, as mass shootings typically transpire in enclosed spaces (e.g., schools, offices) with a high concentration of victims in a smaller area, individuals who are shot may be likely to have greater amounts of kinetic energy deposited into their bodies than shootings that occur at greater distances. One estimate, for example, suggests that the average distance between mass shooters and their victims

⁴⁴ *Id.*

⁴⁵ *Id.* See Tables 6 and 7.

⁴⁶ Rhee et al., *supra* note 27; Sarani et al., *supra* note 30. See also George Wallace, “Assault Weapon” Lethality, 88 TENN. L. REV. 3 (2020).

⁴⁷ The perpetrator for the 2017 mass shooting in Las Vegas, NV, had an elevated trajectory. He conducted his shooting from the thirty-second floor of the Mandalay Bay hotel, located approximately 400 yards from the concert grounds. See Bryan Rolli, *Las Vegas Shooting Area Map: Mandalay Bay, Festival Grounds & Surroundings*, Billboard (Oct. 2, 2017), <https://www.billboard.com/music/music-news/las-vegas-shooting-map-mandalay-bay-festival-grounds-surroundings-7982071/> (last visited May 5, 2024). The perpetrator of the 2022 mass shooting in Highland Park, IL, took up a similar position on a building rooftop along the parade route. See Aya Elamroussi, Josh Campbell & Yon Pomrenze, *Highland Park Shooter’s Rooftop Position Made It Difficult for Officers to Find Him Quickly as Parade Turned into Chaos, Police Chief Says* / CNN, CNN, Jul. 8, 2022, <https://www.cnn.com/2022/07/08/us/highland-park-illinois-shooting-july-fourth-parade-friday/index.html> (last visited May 5, 2024).

⁴⁸ Rhee et al., *supra* note 27.

is just eighteen inches,⁴⁹ meaning that there is limited time for the kinetic energy of bullets to dissipate before hitting the target, especially when traveling at greater velocities – and, by extension, with more kinetic energy – as with semiautomatic assault-style rifles.

21. Whether individuals are injured or killed also depends on where they are hit or, more specifically, the type of tissue that the bullet comes in contact with.⁵⁰ Tissue that has minimal elasticity is more susceptible to severe injury.⁵¹ This includes high density tissue like muscle, as well as organs like the brain, liver, and spleen.⁵² Other organs, such as the heart and kidneys, may tear or burst when hit with gunfire because they are not compressible.⁵³ By comparison, tissue that is more elastic, such as skin or the lungs, and organs that are hollow (e.g., stomach, bladder, intestines) are likely to be less seriously injured because they can better absorb the deposited kinetic energy.⁵⁴ When bullets hit the body, the transfer of kinetic energy creates pressure waves that move tissue and creates what is known as cavitation.⁵⁵ Cavitation may be permanent, such as when the tissue is crushed, or temporary, when it is stretched.⁵⁶ Significant cavitation is much more likely to occur with high-velocity rounds, such as those used with semiautomatic assault-style rifles.⁵⁷ In addition to destroying vital organs (e.g., shredding the lung or liver), the deposit of the kinetic energy also can shatter skulls and pulverize bones.⁵⁸ With a wound path that also is

⁴⁹ ABC News, *Schools Preparing for Active Shooters the Wrong Way, Experts Say*, ABC NEWS, Feb. 28, 2018, <https://abcnews.go.com/US/schools-preparing-active-shooters-wrong-experts/story?id=53360957> (last visited May 5, 2024).

⁵⁰ Rhee et al., *supra* note 27; Wallace, *supra* note 43.

⁵¹ Rhee et al., *supra* note 27.

⁵² *Id.*

⁵³ Rhee et al., *supra* note 27; Wallace, *supra* note 43.

⁵⁴ *Id.*

⁵⁵ Rhee et al., *supra* note 27; Sarani et al., *supra* note 30; Wallace, *supra* note 43.

⁵⁶ Wallace, *supra* note 43. *See also* Tim Dickinson, *All-American Killer: How the AR-15 Became Mass Shooters' Weapon of Choice*, ROLLING STONE (Feb. 22, 2018), <https://www.rollingstone.com/politics/politics-features/all-american-killer-how-the-ar-15-became-mass-shooters-weapon-of-choice-107819/> (last visited May 5, 2024) (noting that the deposit of the kinetic energy from the bullet into the individual creates the cavity, which then can collapse back in on itself, leading to the destruction of the tissue, organs, nerves, and blood vessels).

⁵⁷ Rhee et al., *supra* note 27; Sarani et al., *supra* note 30.

⁵⁸ Kirkpatrick et al., *supra* note 38.

more erratic than a bullet fired from a handgun (which follows a straight-line trajectory unless coming in contact with bone), the tumbling of rounds from a semiautomatic rifle increases the likelihood that vessels and nerves will be severed, causing the person hit to bleed out through a gaping exit wound.⁵⁹

22. Studies analyzing the wound patterns of victims across single mass shootings⁶⁰ and when analyzing a group of events across time⁶¹ have found that the majority of fatal injuries occurred in the victims' heads and chest / upper back areas. As noted, these are areas with tissue and organs that are less elastic and thereby susceptible to greater injury as the kinetic energy of the bullet is deposited, especially at higher velocities from semiautomatic assault-style rifles. In fact, one study of the 2016 mass shooting at the Pulse nightclub in Orlando, FL, which was primarily perpetrated with a semiautomatic assault-style rifle, found that wounds to the face, head, chest, and abdomen were significantly more common in deceased victims than in survivors.⁶² When considering total bullet impacts (how many wounds the individual sustained),⁶³ the number of injuries to the head and chest were significantly greater among those who were killed than those who survived; there were no statistically significant differences in total impacts in the abdomen or

⁵⁹ *Id.*

⁶⁰ E. Reed Smith, Geoff Shapiro & Babak Sarani, Fatal Wounding Pattern and Causes of Potentially Preventable Death Following the Pulse Night Club Shooting Event, 22 PREHOSPITAL EMERGENCY CARE 662 (2018); Chadwick P. Smith et al., Injury Characteristics of the Pulse Nightclub Shooting: Lessons for Mass Casualty Incident Preparation, 88 JOURNAL OF TRAUMA AND ACUTE CARE SURGERY 372 (2020).

⁶¹ Edward Reed Smith, Geoff Shapiro & Babak Sarani, *The Profile of Wounding in Civilian Public Mass Shooting Fatalities*, 81 JOURNAL OF TRAUMA AND ACUTE CARE SURGERY 86 (2016); E. Reed Smith et al., *Incidence and Cause of Potentially Preventable Death after Civilian Public Mass Shooting in the US*, 229 JOURNAL OF THE AMERICAN COLLEGE OF SURGEONS 244 (2019); see also Atia et al., *supra* note 28.

⁶² C. Smith et al., *supra* note 58. See also E. Reed Smith et al., *supra* note 58 (finding that 41% of fatal injuries were to victims' chest or upper back, while 24% were to their head); Atia et al., *supra* note 28 (finding that more than half of the deceased victims in the shootings in Aurora, CO (2012), San Bernardino, CA (2015), and Sutherland Springs, TX (2017), all of which were perpetrated with semiautomatic assault-style rifles, were shot in the head and neck and/or chest).

⁶³ Total injuries in deceased individuals were 205 in 49 victims, as compared to 91 across 48 survivors. This translates to an average of 4.2 total bullet impacts per individual killed and 1.9 per individual injured.

extremity regions.⁶⁴ It bears noting that individuals killed during the Pulse shooting sustained significantly more bullet impacts as compared to survivors, with some being struck as many as thirteen times, and had more body regions injured.⁶⁵ A separate study examining the wounding patterns in 12 mass shootings occurring between 2000 and 2013 found that no head injury sustained during these incidents was potentially survivable, nor were any wounds from semiautomatic assault-style rifles.⁶⁶

III. The Effects of Assault Weapons Bans on Mass Shootings Incidence and Outcomes

23. From September 13, 1994, to September 13, 2004, a federal assault weapons ban was in place in the U.S.⁶⁷ During the period that the ban was in effect, fewer mass shooting incidents occurred. One analysis, for example, found that during the ban period, there were an average of 1.6 mass shooting incidents per year.⁶⁸ Comparatively, there was an average of 2.05 incidents annually between 1973 and the start of the ban, and an average of 4.18 shootings annually in the ten years after it lapsed.⁶⁹ A separate analysis looking at high-fatality mass shootings (with six or more individuals killed during the attack) reported that during the ban period, there was an average of 1.2 incidents per year compared to 3.6 per year between the ban's lapse and 2017.⁷⁰ This is especially important as research finds that mass shootings also are increasing in lethality over time.⁷¹

⁶⁴ *Id.* See also Atia et al., *supra* note 28 (noting that gunshot wounds to the head and neck can be challenging due to needing to manage significant blood loss and keeping airways open at the same time).

⁶⁵ *Id.*

⁶⁶ Smith et al., *supra* note 59. See also Edward Reed Smith et al., *supra* note 58 (finding that wounds associated with possibly preventable death were least likely to be located in the head, neck, and face).

⁶⁷ H.R. 3355, 103d Cong. (1994); see also Jaclyn Schildkraut & Collin M. Carr, *Mass Shootings, Legislative Responses, and Public Policy: An Endless Cycle of Inaction*, 69 EMORY L. J. 1043 (2020).

⁶⁸ John A. Tures, *Did the Assault Weapons Ban Work?*, HuffPost, Dec. 6, 2017, https://www.huffpost.com/entry/did-the-assault-weapons-b_b_9740352 (last visited May 4, 2024). In his study, Tures analyzed 108 rampage killings, school and workplace shootings, and other similar events with five or more fatalities between 1973 and 2015.

⁶⁹ *Id.*

⁷⁰ Louis Klarevas, Andrew Conner & David Hemenway, *The Effect of Large-Capacity Magazine Bans on High-Fatality Mass Shootings, 1990–2017*, 109 AM J PUBLIC HEALTH 1754 (2019).

⁷¹ Schildkraut and Elsass, *supra* note 10.

24. During the ban period, mass shootings were less lethal and there were fewer total casualties (fatalities plus injuries).⁷² One study examining 57 mass shootings occurring between 1982 and 2011 found that there were 66% fewer fatalities and 82% fewer injuries during the ban period as compared to when it was not in effect.⁷³ A separate study reported that the federal assault weapons ban was statistically significantly associated with a reduction in mass shooting-related fatalities, with 9 fewer deaths per 10,000 firearm homicides per year when the ban was in effect.⁷⁴ Stated differently, mass shooting fatalities were 70% less likely to occur when the assault weapons ban was in effect as compared to when it was not.⁷⁵ Of these preventable deaths, seven were attributed to semiautomatic assault-style rifles.⁷⁶

25. State-level assault weapons bans also have shown promise in reducing the impact of mass shooting events. One study, for example, found that mass shootings that occurred in states with assault weapons bans in place resulted in 40% fewer total casualties (injuries plus fatalities) than those incidents occurring in states where such a ban was not in effect.⁷⁷ When considering fatalities only, state-level assault weapons bans have been found to reduce deaths during mass shootings by an estimated 45%.⁷⁸

IV. Why Mass Shooters Choose Semiautomatic Assault-Style Rifles

26. As has been noted in this declaration, the use of semiautomatic assault-style rifles is correlated with more lethal mass shootings. More lethal mass shootings also are correlated with

⁷² Brian J. Phillips, *Did Banning Assault Weapons Affect Mass Shootings?*, Political Violence at a Glance (Nov. 7, 2017), <https://politicalviolenceataglance.org/2017/11/07/did-banning-assault-weapons-affect-mass-shootings/> (last visited May 4, 2024).

⁷³ Mark Gius, The Impact of State and Federal Assault Weapons Bans on Public Mass Shootings, 22 APPLIED ECONOMICS LETTERS 281 (2015).

⁷⁴ Charles DiMaggio et al., Changes in US Mass Shooting Deaths Associated with the 1994–2004 Federal Assault Weapons Ban: Analysis of Open-Source Data, 86 JOURNAL OF TRAUMA AND ACUTE CARE SURGERY 11 (2019).

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ Greene-Colozzi and Silva, *supra* note 21.

⁷⁸ Gius, *supra* note 31.

more media coverage.⁷⁹ Specifically, research has found that mass shootings with more total victims, as well as when disaggregated by fatalities and injuries, receive significantly more stories written about them and more space (i.e., word counts) devoted to the coverage.⁸⁰ Further, some mass shooting perpetrators have garnered more earned media coverage values than professional athletes and Hollywood celebrities.⁸¹ Numerous studies have confirmed that many mass shooters are fame- or attention-seeking,⁸² with perpetrators' own words confirming this desire for infamy.⁸³ Therefore, in order to garner the media attention they crave and achieve the notoriety they desire, mass shooters seek to kill as many people as possible and may select semiautomatic assault-style rifles for their higher lethality in similar incidents. One research study found that fame-seeking mass shooters who conducted their attacks between 1966 and 2015 both killed and injured more than twice as many people as those who were not seeking attention or notoriety.⁸⁴ Moreover, the desire for fame and attention has only grown over time – one study found that 44% of mass shooters between 1966 and 2009 exhibited fame-seeking behaviors as compared to 78% between 2010 and 2019.⁸⁵ Notably, the use of semi-automatic assault-style rifles also nearly doubled between these two time periods.⁸⁶

⁷⁹ Jaclyn Schildkraut, H. Jaymi Elsass & Kimberly Meredith, *Mass Shootings and the Media: Why All Events Are Not Created Equal*, 41 JOURNAL OF CRIME AND JUSTICE 223 (2018).

⁸⁰ *Id.*

⁸¹ Adam Lankford, *Do the Media Unintentionally Make Mass Killers into Celebrities? An Assessment of Free Advertising and Earned Media Value*, 9 CELEBRITY STUDIES 340 (2018). For example, Lankford found that the perpetrators of the 2015 mass shooting in San Bernardino, CA, earned more media value (\$811,000) than both Jennifer Aniston and James Franco (\$809,000 each). Similarly, the perpetrator of the Pulse mass shooting earned more media value (\$5.3 million) than Chris Rock (\$4.4 million) and Johnny Depp (\$3.2 million).

⁸² Adam Lankford, *Fame-Seeking Rampage Shooters: Initial Findings and Empirical Predictions*, 27 AGGRESSION AND VIOLENT BEHAVIOR 122 (2016); Adam Lankford & Eric Madfis, *Don't Name Them, Don't Show Them, But Report Everything Else: A Pragmatic Proposal for Denying Mass Killers the Attention They Seek and Deterring Future Offenders*, 62 AMERICAN BEHAVIORAL SCIENTIST 260 (2018); Adam Lankford & James Silver, *Why Have Public Mass Shootings Become More Deadly?*, 19 CRIMINOLOGY & PUBLIC POLICY 37 (2020); Jason R. Silva & Emily Ann Greene-Colozzi, *Fame-Seeking Mass Shooters in America: Severity, Characteristics, and Media Coverage*, 48 AGGRESSION AND VIOLENT BEHAVIOR 24 (2019).

⁸³ Lankford, *supra* note 78.

⁸⁴ Lankford, *supra* note 78.

⁸⁵ Lankford and Silver, *supra* note 78.

⁸⁶ *Id.*

27. Relatedly, mass shootings have been found to have a copycat effect that can be influenced, at least in part, by the amount of media coverage an incident receives.⁸⁷ The copycat effect considers a longer-term impact or a modeling of behavior from some other source.⁸⁸ If those mass shootings that have higher casualty counts are receiving more media attention while also being perpetrated, in large part, using semiautomatic assault-style rifles, it may lead other mass shooters to choose similar firearms. This can be due to a concept called “social proof,” whereby individuals assume a certain behavior or choice is correct for a given situation and follow suit.⁸⁹ With most perpetrators also having limited knowledge of firearms, they then choose weapons – here, specifically, the semiautomatic assault-style rifle – that other mass shooters before them used to achieve their goal of inflicting the maximum harm possible.⁹⁰ Moreover, media attention aside, research has highlighted that one aspect of mass shooters’ pre-attack behaviors is researching other perpetrators.⁹¹ This is done for the plotter to identify those aspects of previous attacks that they view as “successful” (meaning that they amass a large number of victims) and want to emulate, as well as those that they deem to be “failures” and seek to overcome.⁹² In conducting their research, these individuals also would see that those shootings that have the highest fatality counts also often

⁸⁷ Adam Lankford & Sara Tomek, *Mass Killings in the United States from 2006 to 2013: Social Contagion or Random Clusters?*, 48 *SUICIDE AND LIFE-THREATENING BEHAVIOR* 459 (2018).

⁸⁸ Lankford and Tomek, *supra* note 85.

⁸⁹ Robert B. Cialdini, *Influence: Science and Practice* (3rd ed. 1993).

⁹⁰ Whitney Lloyd, *Why AR-15-Style Rifles Are Popular among Mass Shooters*, ABC News (2018), <https://abcnews.go.com/US/ar-15-style-rifles-popular-mass-shooters/story?id=53111745> (last visited May 5, 2024) (quoting J. Pete Blair (“You’re in an ambiguous situation and you don’t know what to do that. That can be looking at what silverware other people use at a fancy dinner party and copying them, or it can be using the same type of weapon other shooters have used if you’re planning a mass shooting.”) and Dean Hazen (“It’s a copycat thing. When they see other mass shooters use it, it reinforces the image in their mind that this is the evil tool to use.”)).

⁹¹ Frederick S. Calhoun & Stephen W. Weston, *Contemporary Threat Management: A Practical Guide for Identifying, Assessing, and Managing Individuals of Violent Intent* (2003). *See also* National Threat Assessment Center, *Mass Attacks in Public Spaces: 2016-2020*, (2023), <https://www.secretservice.gov/sites/default/files/reports/2023-01/uss-ntac-maps-2016-2020.pdf> (last visited May 6, 2024); Jaclyn Schildkraut, Rebecca G. Cowan & Tessa M. Mosher, *The Parkland Mass Shooting and the Path to Intended Violence: A Case Study of Missed Opportunities and Avenues for Future Prevention*, 28 *HOMICIDE STUDIES* 3 (2024).

⁹² *Id.*

are perpetrated with semiautomatic assault-style rifles, which may influence their own weapons selection.⁹³

28. Finally, it bears noting that the average mass shooting event lasts less than five minutes, on average, before law enforcement intervenes and brings the incident to an end.⁹⁴ Given this short amount of time that the perpetrator can actively engage in killing, while simultaneously seeking to inflict as much harm as possible, their choice of a semiautomatic assault-style rifle may be due to the higher capacity magazines such weapons are fitted with that enables them to fire off more shots before having to reload.⁹⁵ Many magazines on semiautomatic assault-style rifles hold 30 rounds, though aftermarket options can be added to increase this to 60 or even 100 rounds.⁹⁶

V. Public Perceptions of Semiautomatic Assault-Style Rifles

29. With extensive media attention devoted to mass shootings, particularly those that are highly lethal⁹⁷ and, by extension, involve the use of semiautomatic assault-style rifles, it then is important to consider public perceptions of these weapons. Indeed, public opinion polls highlight that a considerable proportion of U.S. citizens are concerned about mass shootings,⁹⁸ with nearly

⁹³ *Id.*

⁹⁴ J. Pete Blair & Katherine Schweit, *A Study of Active Shooter Incidents in the United States Between 2000 and 2013*, (2014), <https://www.fbi.gov/file-repository/active-shooter-study-2000-2013-1.pdf> (last visited May 5, 2024).

⁹⁵ Sarani et al., *supra* note 30.

⁹⁶ Wallace, *supra* note 43. Notably, the perpetrators in both the 2012 mass shooting in Aurora, CO (12 killed, 58 injured) and the 2019 mass shooting in Dayton, OH (9 killed, 17 injured) used the 100-round drum magazine affixed to a semiautomatic assault-style rifle. See also TriData Division, System Planning Corporation, *Aurora Century 16 Theater Shooting: After Action Report for the City of Aurora*, (2014), <https://justiceclearinghouse.com/wp-content/uploads/2017/10/C16-AAR.pdf> (last visited May 5, 2024) (noting that the time from initial 9-1-1 call until the suspect was in custody was approximately six-and-a-half minutes, though it is unclear how long he was actively using his semiautomatic assault-style rifle as the drum jammed after approximately sixty-five rounds and it is unclear how many victims were hit with each firearm he used); Dan Sewell & John Seewer, *Police Divided on Whether Dayton Gunman Targeted Sister*, NBC Bay Area (Aug. 13, 2019), <https://www.nbcbayarea.com/news/national-international/dayton-gunman-deadly-mass-shooting/150723/> (last visited May 5, 2024) (noting that the Dayton shooting lasted 32 seconds from the first round fired until the shooter was killed by responding law enforcement).

⁹⁷ Schildkraut et al., *supra* note 79.

⁹⁸ See, e.g., The Chapman University Survey on American Fears, <https://www.chapman.edu/wilkinson/research-centers/babbie-center/survey-american-fears.aspx> (last visited May 6, 2024) (finding during Wave 9 in 2023 that nearly 43% of Americans are afraid or very afraid of mass shootings).

half of respondents expressing fear over becoming a victim of one of these tragedies.⁹⁹ Similarly, recent research finds that more than four out of every ten individuals display dysfunctional levels of anxiety over mass shootings.¹⁰⁰

30. Although these polls do not specifically ask about fear over semiautomatic assault-style rifles and their use in mass shootings, how the public responds can serve as a proxy. For instance, letters to editors of newspapers have featured headlines such as “People without assault rifles have right to freedom from fear,” in which a citizen asks “How free are you really when you know a trip to the grocery store or a morning in prayer or a day at school or a night at the movies can end in your death at the hands of a gun?” in the context of mass shootings and semiautomatic assault-style rifles.¹⁰¹ And recent research finds that all members of society, including pro-gun groups (e.g., gun owners, Republicans), do not want to live near individuals who own semiautomatic assault-style rifles.¹⁰² In fact, as the study’s authors note, “the single best predictor of [survey] respondents’ aversion to having someone as a neighbor was if that person owned an AR-15.”¹⁰³

31. The aesthetic of most semiautomatic assault-style rifles, particularly those used in mass shootings, mirrors military weapons of war,¹⁰⁴ leading these firearms to have an intimidating

⁹⁹ Megan Brennan, *Nearly Half in U.S. Fear Being the Victim of a Mass Shooting*, GALLUP (2019), <https://news.gallup.com/poll/266681/nearly-half-fear-victim-mass-shooting.aspx> (last visited May 6, 2024).

¹⁰⁰ Sherman Aclaracion Lee, *Mass Shootings Anxiety Scale: A Preliminary Psychometric Study*, 48 DEATH STUDIES 207 (2024).

¹⁰¹ Michael Camerota, *People without Assault Rifles Have Right to Freedom from Fear (Letter)*, THE WESTFIELD NEWS, Dec. 4, 2023, <https://www.masslive.com/westfieldnews/2023/12/people-without-assault-rifles-have-right-to-freedom-from-fear-letter.html> (last visited May 6, 2024).

¹⁰² Justin L. Sola & Justin T. Pickett, Widespread, Bipartisan Aversion Exists to Neighbors Owning AR-15s or Storing Guns Insecurely, 121 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES e2311825121 (2024).

¹⁰³ *Id.* at 4. It bears noting that “AR-15” is often blanketly used to describe semiautomatic assault-style rifles as the “AR” is misrepresented to stand for “assault rifle.” In reality, the “AR” stands for “ArmaLite rifle,” named for its creator. See Solcyré Burga, *How the AR-15 Became America’s Most Dangerous Weapon*, TIME (2023), <https://time.com/6278608/ar-15-rifle-assault-weapons-uvalde/> (last visited May 6, 2024).

¹⁰⁴ Rick Rojas, Karen Zraick & Troy Closson, Sandy Hook Families Settle With Gunmaker for \$73 Million Over Massacre, THE NEW YORK TIMES, Feb. 15, 2022, <https://www.nytimes.com/2022/02/15/nyregion/sandy-hook-families-settlement.html> (last visited May 6, 2024).

presence.¹⁰⁵ Stories of individuals armed with semiautomatic assault-style rifles patrolling voting locations,¹⁰⁶ protests,¹⁰⁷ and other areas¹⁰⁸ highlight the fear that these weapons generate among the public. Schools also have gone into lockdown in response to individuals openly carrying semiautomatic assault-style rifles near the grounds, sending students, their parents, and educators into panic.¹⁰⁹ It is not, however, only citizens who fear these weapons. The 2022 mass shooting at Robb Elementary School in Uvalde, TX, highlights how law enforcement also has come to fear the impact of semiautomatic assault-style rifles, with responding officers waiting more than seventy-five minutes to breach the classroom where the perpetrator was over concern that the firepower differential was too significant to overcome.¹¹⁰ Given that survivability decreases the longer medical care is delayed, it is likely that a more rapid resolution by law enforcement could have improved the likelihood of lives being saved.¹¹¹

¹⁰⁵ Jonathan Levinson, *The Gun Debate Is Obsessed With Form, Largely Ignoring Function*, OREGON PUBLIC BROADCASTING, Oct. 7, 2019, <https://www.opb.org/news/article/gun-design-form-function-ar-15-comparison-mini-14/> (last visited May 6, 2024); Hannah Allam, *The Radicals' Rifle*, THE WASHINGTON POST, Mar. 27, 2023, <https://www.washingtonpost.com/nation/interactive/2023/ar-15-armed-extremist-militia-groups/> (last visited May 6, 2024).

¹⁰⁶ Tom Winter et al., *2 Men Arrested near Philadelphia Vote Center Had QAnon Paraphernalia, AR-15 in Car*, NBC NEWS, Nov. 7, 2020, <https://www.nbcnews.com/news/us-news/2-men-detained-after-police-learn-possible-threat-philadelphia-vote-n1246774> (last visited May 6, 2024).

¹⁰⁷ Emily McCarty, *AR-15s Complicate Anti-Racism Protests across Washington* / *Cascade PBS News*, CASCADE PBS, Jun. 17, 2020, <https://crosscut.com/2020/06/ar-15s-complicate-anti-racism-protests-across-washington> (last visited May 6, 2024).

¹⁰⁸ Giulia Carbonaro, *Man Wields AR-15 near School Bus Stop to Protest Gun Laws*, NEWSWEEK, May 19, 2023, <https://www.newsweek.com/man-wields-ar-15-school-bus-stop-protest-gun-laws-1801386> (last visited May 6, 2024).

¹⁰⁹ *Armed man near local elementary school causing unrest among parents*, KRIS 6 News Corpus Christi, Apr. 17, 2019, <https://www.kristv.com/news/2019/04/17/armed-man-hicks-elementary-school-causing-unrest-parents-corpus-christi-police-department-brief-lockdown/> (last visited May 9, 2024); Ashley Paul, *Report of Armed Man near School Causes Stir in Midtown*, WREG.com, Nov. 27, 2023, <https://wreg.com/news/local/report-of-armed-man-near-school-causes-stir-in-midtown/> (last visited May 9, 2024); Ross Adams, *Investigation Underway after Man with Gun Spotted on JSU Campus*, WAPT 16, Feb. 12, 2024, <https://www.wapt.com/article/jsu-issues-safety-alert-after-man-with-an-assault-rifle-spotted-near-campus-building/46752307> (last visited May 9, 2024).

¹¹⁰ U.S. Department of Justice, *Critical Incident Review: Active Shooter at Robb Elementary School*, (2024), <https://portal.cops.usdoj.gov/resourcecenter/Home.aspx?item=cops-r1141>.

¹¹¹ *Id* at 160. The Department of Justice noted that, in their review of documentation, at least one victim was still alive twenty minutes after the initial entry into the building by police was made.

I, Jaclyn Schildkraut, declare pursuant to 28 U.S.C. § 1746 and under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 9, 2024, in Syracuse, New York.


JACLYN SCHILDKRAUT

EXHIBIT A

Curriculum Vitae for Jaclyn Schildkraut (begins on next page)

JACLYN SCHILDKRAUT

Curriculum Vitae
(Updated April 2024)

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2011 M.A., Applied Sociology, University of Central Florida

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RESEARCH AND TEACHING INTERESTS

School and mass shootings; Homicide; Lockdown drills and emergency preparedness; Emergency notification systems; Crime and the media; Criminological theory

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BOOKS

Schildkraut, J., & G. L. Carter. (Eds.) (2022). *Guns in American society: An encyclopedia of history, politics, culture, and the law* (3rd ed.). ABC-CLIO.

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- Schildkraut, J., E. S. Sokolowski*, & J. Nicoletti.** (2021). The survivor network: The role of shared experiences in mass shootings recovery. *Victims & Offenders*, 16(1), 20-49. <https://doi.org/10.1080/15564886.2020.1764426>
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BOOK CHAPTERS

- Schildkraut, J., & E. A. Greene-Colozzi.** (forthcoming). Mass school shootings: Promising approaches for prevention and response. In J. S. Hong, H. C. O. Chan, A. L. C. Fung, & J. Lee (eds.), *Handbook of school violence, bullying, and safety*. Edward Elgar Publishing.
- Schildkraut, J., & G. W. Muschert.** (2019). Media salience and mass murder: Examining frame changing across mass shooter events, 2000-2012. In S. Daly (Ed.), *Assessing and Averting the Prevalence of Mass Violence* (pp. 129-153). IGI Global.

- Schildkraut, J., & B. Dohman*.** (2019). Commander or comforter in chief? Examining presidential rhetoric in the wake of mass shootings. In S. Daly (Ed.), *Assessing and Averting the Prevalence of Mass Violence* (pp. 154-193). IGI Global.
- Muschert, G. W., & **J. Schildkraut.** (2017). School shootings in the media. In M. Brown (Ed.), *Oxford Research Encyclopedia of Criminology and Criminal Justice: Oxford Encyclopedia of Crime, Media, and Popular Culture*. Oxford University Press.
- Schildkraut, J.** (2017). Crime news in newspapers. In M. Brown (Ed.), *Oxford Research Encyclopedia of Criminology and Criminal Justice: Oxford Encyclopedia of Crime, Media, and Popular Culture*. Oxford University Press.
- Schildkraut, J., & H. J. Elsass.** (2016). The influence of media on public attitudes. In L. Wilson (Ed.), *The Wiley Handbook of the Psychology of Mass Shootings* (pp. 117-135). John Wiley & Sons. [Invited Manuscript]
- Schildkraut, J., H. J. Elsass, & G. W. Muschert.** (2016). Satirizing mass murder: What many think, yet few will say. In L. Eargle and A. Esmail (Eds.), *Gun Violence in American Society: Crime, Justice, and Public Policy* (pp. 233-255). University Press of America.
- Muschert, G. W., & **J. Schildkraut.** (2015). School shootings. In H. Montgomery (Ed.), *Oxford Bibliographies in Childhood Studies*. Oxford University Press.
- Schildkraut, J., & G. W. Muschert.** (2014). Violent media, guns, and mental illness: The three ring circus of causal factors for school massacres, as related in media discourse. In B. Agger & T. Luke (Eds.), *Gun Violence and Public Life* (pp. 61-80). Paradigm Publishers.
- Schildkraut, J.** (2012). The remote is controlled by the monster: Issues of mediatized violence and school shootings. In G. W. Muschert & J. Sumiala (Eds.), *School Shootings: Mediatized Violence in a Global Age* (pp. 235-258). Emerald Publishing Group, Ltd.

POLICY BRIEFS

- Schildkraut, J., & H. J. Elsass.** (2023). *Can mass shootings be stopped? To address the problem, we must better understand the phenomenon* (2023 edition). Regional Gun Violence Research Consortium. <https://rockinst.org/issue-area/2023-can-mass-shootings-be-stopped/>
- Schildkraut, J.** (2022). *Lockdown drills: A widely used yet often misunderstood practice*. Regional Gun Violence Research Consortium. <https://rockinst.org/issue-area/lockdown-drills-a-widely-used-yet-often-misunderstood-practice/>
- Schildkraut, J.** (2021). *Can mass shootings be stopped? To address the problem, we must better understand the phenomenon* (2021 edition). Regional Gun Violence Research Consortium. <https://rockinst.org/issue-area/2021-can-mass-shootings-be-stopped/>
- Schildkraut, J., K. Grogan, & A. Nabors.** (2020). *Should schools be conducting lockdown drills?* WestEd. <https://www.wested.org/resources/schools-lockdown-drills/>
- Schildkraut, J., & K. Grogan.** (2019). *Are metal detectors effective at making schools safer?* WestEd. <https://www.wested.org/resources/are-metal-detectors-effective-at-making-schools-safer/>

Schildkraut, J. (2019). *Assault weapons, mass shootings, and options for lawmakers*. Regional Gun Violence Research Consortium, Rockefeller Institute of Government.
<https://rockinst.org/issue-area/assault-weapons-mass-shootings-and-options-for-lawmakers/>

Schildkraut, J., M. K. Formica, & J. Malatras. (2018). *Can mass shootings be stopped? To address the problem, we must better understand the phenomenon*. Regional Gun Violence Research Consortium, Rockefeller Institute of Government. <http://rockinst.org/issue-area/can-mass-shootings-be-stopped/>

MANUSCRIPTS UNDER REVIEW

Schildkraut, J., E. A. Greene-Colozzi, & A. B. Nickerson. (2023). *Balancing students' perceptions of safety and emergency preparedness: A quasi-experimental test of protection motivation theory as it relates to lockdown drills*. Under review at *Victims & Offenders* (revise and resubmit, due May 13, 2024).

GRANTS AND FUNDED PROJECTS

*Denotes student co-author

GRANTS AWARDED

- | | |
|-----------|--|
| 2024-2026 | <i>Extreme risk protection orders, leakage, and social networks: The legislative, behavioral, and social contexts surrounding mass public shooting incidents and plots.</i> E. A. Greene-Colozzi, B. R. Klein, & J. Schildkraut . National Institute of Justice, Award No. 15PNIJ-23-GG-0248-BSCI (\$985,776). Co-Investigator. |
| 2023-2024 | <i>Understanding the needs of survivors and communities impacted by mass public shootings.</i> J. Schildkraut . New Jersey Center on Gun Violence Research (\$84,990). Principal Investigator. |
| 2023-2024 | <i>School Safety and security review and assessment.</i> J. Schildkraut . Hoosick Falls Central School District (\$25,000). Principal Investigator. |
| 2022-2023 | <i>Continued evaluation and assessment of SRP and SRM training and drills.</i> J. Schildkraut . Syracuse City School District (\$50,000). Principal Investigator. |
| 2021-2022 | <i>Continued evaluation and assessment of SRP and SRM training and drills.</i> J. Schildkraut . Syracuse City School District (\$40,000). Principal Investigator. |
| 2020-2021 | <i>Amending and Assessing the Standard Response Protocol training and drills in Syracuse City School District for COVID.</i> J. Schildkraut . Syracuse City School District (\$30,0000). Principal Investigator. |
| 2020-2021 | <i>Perceptions of mass shootings and moral panic among U.S. citizens.</i> J. Schildkraut and H. J. Elsass. State University of New York at Oswego (\$2,975). Principal Investigator (Faculty SCA Grant). |

- 2019-2020 *Implementing the Standard Reunification Method in Syracuse City School District. J. Schildkraut.* Syracuse City School District (\$29,950). Principal Investigator.
- 2019-2020 *Implementing Standard Response Protocol in Central Square School District. J. Schildkraut.* Oswego County Sheriff's Office (\$12,0000). Principal Investigator.
- 2018-2019 *Testing and Implementing the Standard Response Protocol in Syracuse City School District. J. Schildkraut.* Syracuse City School District (\$30,0000). Principal Investigator.
- 2018-2019 *The Parkland shooting and systems failures: A review of the evidence. T. Mosher* & J. Schildkraut.* State University of New York at Oswego (\$1,000). Faculty Mentor (Student SCA Grant).
- 2018-2019 *The Pulse Nightclub shooting and the impact on the local LGBTQ+ community. K. Rothschild * & J. Schildkraut.* State University of New York at Oswego (\$994). Faculty Mentor (Student SCA Grant).
- 2017-2018 *Covering rampage: News consumers' perceptions about mass shootings in the media. R. McHale* & J. Schildkraut.* State University of New York at Oswego (\$1,000). Faculty Mentor (Student SCA Grant).
- 2017-2018 *News consumers' perceptions of the coverage of domestic terrorism. S. Blum* & J. Schildkraut.* State University of New York at Oswego (\$1,000). Faculty Mentor (Student SCA Grant).
- 2017-2018 *Mass shootings and the needs of survivors. J. Schildkraut.* State University of New York at Oswego (\$2,820). Principal Investigator (Faculty SCA Grant).
- 2016-2017 *Context matters: Examining mass shootings and the role of county and state level correlates. C. M. Carr* & J. Schildkraut.* State University of New York at Oswego (\$1,750). Faculty Mentor (Challenge Grant).

GRANTS UNDER REVIEW

- 2024-2027 *An evaluation of the landscape of safety drills for active shooters in U.S. K-12 public schools. J. Schildkraut, A. B. Nickerson, & E. A. Greene-Colozzi.* National Institute of Justice (\$1,020,357). Principal Investigator.
- 2024-2026 *Understanding the leakage that precedes mass public shootings and its utility for prevention efforts through public awareness. J. Schildkraut, M. H. Martaindale, & E. A. Greene-Colozzi.* U.S. Department of Homeland Security (\$457,204). Principal Investigator.

GRANTS NOT FUNDED

- 2024-2026 *How do U.S. civilians and law enforcement officers decide whether to petition for an extreme risk protection order? An evaluation of key factors. J. Schildkraut, M. H. Martaindale, E. A. Greene-Colozzi, B. R. Klein, & A. Lankford.* National Collaborative on Gun Violence Research (\$344,028). Principal Investigator.

- 2024-2026 *Understanding the needs of individuals impacted by mass public shootings.* **J. Schildkraut.** National Institute of Justice (\$202,339). Principal Investigator.
- 2023-2025 *Understanding the leakage that precedes mass public shootings and its utility for prevention efforts through public awareness.* **J. Schildkraut,** M. H. Martaindale, & E. A. Greene-Colozzi. U.S. Department of Homeland Security (\$339,368). Principal Investigator.
- 2023-2026 *StaySafe@School: Virtual reality training to help youth respond to active shooters.* J. Yang, D. Schwebel, **J. Schildkraut,** Y. Huang, A. Nickerson, & Y. Zhang. Centers for Disease Control (\$1,949,104). Multiple Principal Investigator.
- 2023-2024 *Understanding the needs of survivors and communities impacted by mass public shootings.* **J. Schildkraut.** National Institute of Justice (\$289,226). Principal Investigator.
- 2020-2022 *The national database of public mass shootings.* **J. Schildkraut.** Proposal submitted to the National Collaborative on Gun Violence Research (\$450,280). Principal Investigator.
- 2020-2022 *Comparing completed and averted mass shootings: Understanding the data and implications for policy.* **J. Schildkraut** & F. Straub (Police Foundation). Proposal submitted to National Institute of Justice (\$691,010). Principal Investigator.

TECHNICAL REPORTS

- Schildkraut, J.** (2021). *Continued assessment of the Standard Response Protocol implementation and a three-year-review: Final report.* Prepared for the Syracuse City School District.
- Schildkraut, J.** (2020). *Implementing and testing the Standard Response Protocol: Final report.* Prepared for the Oswego County Sheriff's Office and Central Square Central School District.
- Schildkraut, J.** (2019). *Implementing and testing the Standard Response Protocol: Final report.* Prepared for the Syracuse City School District.
- Schildkraut, J., & R. J. Borrow*.** (2019). *A survey of perceptions of safety and preparedness of Skaneateles Middle and High School students.* Prepared for the Skaneateles (NY) Central School District.
- Schildkraut, J.** (2018). *Perceptions of safety and preparedness at the central office.* Prepared for the Syracuse City (NY) School District.
- Schildkraut, J.** (2018). *Report of the Onondaga County School Safety Task Force.* Prepared for the Onondaga County (NY) District Attorney's Office.
- Schildkraut, J., H. J. Elsass, & J. M. McKenna.** (2016). *Faculty, staff, and students' perceptions of the University's emergency notification system and related training protocols.* Prepared for the State University of New York at Oswego.

McKenna, J. M., **J. Schildkraut**, & H. J. Elsass. (2014). *Student perceptions of the University's emergency notification system*. Prepared for the Texas State University Office of Emergency Management.

Sanders, B. A., S. Bowman, A. L. Kringen, M. J. Martaindale, **J. Schildkraut**, V. Terranova, & T. Vaughan. (2013). *Bexar County felony probation terminations 2010 and 2011: Quantitative data results*. Prepared for the Bexar County (TX) Probation Department.

PROFESSIONAL PRESENTATIONS

Invited Presentations

Schildkraut, J. & T. Ristoff. (2024). *Lockdown drills 101: From implementation to impact*. Invited keynote presentation at the New York State Education Department School Safety Summit, Albany, NY.

Schildkraut, J. (2024). *Lessons learned from critical incident reviews of the Uvalde shooting: Key takeaways for law enforcement, policymakers, practitioners, and schools*. Invited presentation for the 20th Annual Safe Schools Initiative Seminar, University at Buffalo, Buffalo, NY.

Schildkraut, J. (2024). *Trauma-informed lockdown drills: What does the evidence show?* Invited presentation for the Committee on Policing and Safeguarding Schools (C-PASS) annual meeting, Saratoga Springs, NY.

Also presented at:

North American Active Assailant Conference, Troy, MI (2023)
New York State Education Department School Safety Summit, Albany, NY (2023, Keynote)
19th Annual Safe Schools Initiative Seminar, University at Buffalo, Buffalo, NY (2023)

Schildkraut, J. (2024). *Mass shootings in schools: Lessons from tragedy and opportunities for prevention*. Invited presentation to Jefferson Lewis Board of Cooperative Education Services, Watertown, NY.

Also presented at:

Sullivan County School Board Association, Watertown, NY (2024)
Tri-Valley Central School District, Grahamsville, NY (2024, webinar)
Greater Southern Tier Board of Cooperative Educational Services, Elmira, NY (2023)
Office for Violence Prevention and Education, Niagara University, Niagara, NY (2023)
Northport Union Free School District, Northport, NY (2023)
Stillwater Central School District, Stillwater, NY (2023)
Queensbury Union Free School District, Queensbury, NY (2023)
Arkansas Safe Schools Conference, Little Rock, AR (2023, Keynote)
New York State School Board Association (2023, webinar)
New York State Education Department School Safety Summit, Albany, NY (2023)
Ottawa Area ISD, Holland, MI (2023)
Committee on Policing and Safeguarding Schools (C-PASS) annual meeting, Saratoga Springs, NY (2023)
Kent ISD, Grand Rapids, MI (2023)
Association of School Business Officials' annual meeting, Saratoga Springs, NY (2022)
DCMO BOCES, Norwich, NY (2022)

- Schildkraut, J.** (2023). *The lockdown debate: "Run Hide Fight" vs. lockdown*. Invited conversation with Katherine Schweit for Joffe Emergency Services, Santa Monica, CA.
- Schildkraut, J.** (2022). *The lockdown drill debate: A look at the current research*. Invited presentation at the Texas School Safety Center annual conference, San Antonio, TX.
- Schildkraut, J.** (2022). *What can we learn from the Uvalde school shooting?* Invited presentation to the North Carolina Task Force for Safer Schools, Raleigh, NC (virtual).
- Schildkraut, J.** (2022). *The SRP lockdown drill: Locks, lights, out of sight... but are we doing this right?* Invited presentation at The Briefings annual meeting, Thornton, CO.
- Schildkraut, J.** (2022). *Mass shootings in our schools*. Invited presentation at the winter workshop of the New York Association of Pupil Transportation, Colonie, NY (virtual).
- Schildkraut, J., & A. B. Nickerson.** (2021). *The lockdown drill debate: A look at the current research*. Invited presentation for Safe and Sound Schools' National Summit on School Safety, Newtown, CT (virtual).
- Schildkraut, J.** (2021). *Guns in America – The Second Amendment*. Invited panel discussion for Northern Virginia Community College's 2021 Constitution Day program, Alexandria, VA (virtual).
- Schildkraut, J.** (2021). *No Notoriety: Refocusing the conversation after mass shootings*. Invited presentation to the Giffords Law Center to Prevent Gun Violence, San Francisco, CA (virtual).
- Schildkraut, J.** (2021). *What can we learn from previous mass violence events?* Invited presentation at The New York State Office of Victim Services' annual meeting, New York, NY.
- Schildkraut, J.** (2021). *Improvise, adapt, overcome: Findings from a 3-year study implementing and assessing an emergency response protocol*. Invited presentation at The Briefings annual meeting, Wheat Ridge, CO (virtual).
- Schildkraut, J.** (2021). *5 safety drill tips for a safer return to school*. Invited webinar presentation for Raptor Technologies, Houston, TX.
- Schildkraut, J.** (2021). *Evaluating school safety and preparedness: Findings from implementing an emergency response protocol*. Invited presentation at The Briefings winter meeting, Wheat Ridge, CO (virtual).
- Schildkraut, J.** (2020). *Lockdown drills: Best practices and key ways to maximize efficiency*. Invited webinar presentation for Raptor Technologies, Houston, TX.
- Schildkraut, J.** (2020). *Evaluating school safety and preparedness: Findings from implementing an emergency response protocol*. Invited presentation at The Briefings winter meeting, Wheat Ridge, CO.
- Schildkraut, J.** (2019). *5 ways to measure the efficacy of your school safety protocols*. Invited webinar presentation for Raptor Technologies, Houston, TX.
- Schildkraut, J.** (2019). *Mass shootings, legislative responses, and public policy: An endless cycle of inaction*. Invited panel presentation to the Randolph Thrower Symposium, Emory University School of Law, Atlanta, GA.

Schildkraut, J. (2018). *School and mass shootings in America: Now what?* Invited presentation at the National Association of Pupil Transportation annual meeting, Kansas City, MO.

Schildkraut, J. (2018). *Mass shootings and the media: Collateral consequences stemming from the news coverage and how to change the narrative.* Invited panel presentation to the Whitney R. Harris Institute, Washington University-St. Louis School of Law, St. Louis, MO.

Schildkraut, J. (2018). *School safety and securitization in an age of mass shootings.* Invited presentation at the Genesee Valley Institute for Staff Development meeting, Rochester, NY.

Schildkraut, J. (2018). *School shootings in America: How do we protect our schools?* Invited webinar/guest presentation to the Nevada Governor School Safety Task Force subcommittee on student well-being, Carson City, NV.

Schildkraut, J. (2018). *Mass shootings in America: The media, the myths, and the need for No Notoriety.* Invited presentation at the Annual Meeting of the American Freedom Alliance, Los Angeles, CA.

Schildkraut, J. (2018). *School shootings in America: How do we protect our schools?* Invited guest presentation at Central Square school safety meeting, Central Square, NY.

Schildkraut, J. (2018). *School shootings in America: How do we protect our schools?* Invited guest presentation to the Oswego County School Safety Task Force, Oswego, NY.

Schildkraut, J. (2018). *School and mass shootings in America: Now what?* Invited webinar presentation for the National Association of Pupil Transportation, Albany, NY.

Schildkraut, J. (2018). *See something, say something.* Invited guest presentation at Standley Lake High School, Westminster, CO.

Schildkraut, J. (2018). *We need to talk about mass shootings: A conversation based on lessons learned at The Briefings, a national school safety symposium at Columbine.* Invited guest presentation at Hobart and William Smith College.

Also presented at:

State University of New York at Oswego (2017)

Schildkraut, J. (2016). *The aftermath of mass shootings: The gun debate and national crime statistics.* Invited panel presentation, CLAS Brown Bag, SUNY Oswego.

Schildkraut, J. (2016). *Mass shootings and the media contagion effect.* Invited panel presentation at the Annual Meeting of the American Psychological Association, Denver, CO.

Schildkraut, J. (2016). *A high caliber education: Gun rights, gun violence, and college campuses.* Invited panel presentation at Syracuse University.

Schildkraut, J. (2016). *Mass shootings and the "usual suspects": Implications for research and policy.* Invited OzTalk presentation at SUNY Oswego.

Schildkraut, J. (2015). *Mass shootings: Understanding the realities through the myths.* Invited guest presentation at Marymount University.

Conference Presentations

*Denotes student co-author

Schildkraut, J. (2023). *Supporting survivors of mass public shootings: Resource usage in the aftermath of tragedy*. Paper presented at the Annual Meeting of the American Society of Criminology, Philadelphia, PA.

Schildkraut, J. (2023). *Posttraumatic change among survivors of mass public shootings: The role of the event impact and social acknowledgement*. Paper presented at the 2023 National Research Conference for the Prevention of Firearm-Related Harms, Chicago, IL.

Schildkraut, J., & M. C. Stafford. (2021). *Understanding mass shootings as a function of routine activities*. Paper presented at the Annual Meeting of the American Society of Criminology, Chicago, IL.

Finnerty, A.*, **J. Schildkraut**, & A. B. Nickerson. (2021). *Does school climate impact perceived safety and preparedness in the context of lockdown drills?* Paper presented at the Annual Meeting of the American Society of Criminology, Chicago, IL.

Florczykowski, A.*, & **J. Schildkraut**. (2021). *Mass shootings and the pathway to violence*. Paper presented at the Annual Meeting of the American Society of Criminology, Chicago, IL.

Schildkraut, J., & J. J. Turanovic. (2021). *A new wave of mass shootings? Exploring the potential impact of COVID-19*. Paper presented at the Annual Meeting of the Homicide Research Working Group (virtual).

Schildkraut, J., & H. J. Elsass. (2020). *Are mass shootings epidemic? Assessing moral panic among U.S. citizens*. Paper accepted for presentation at the Annual Meeting of the American Society of Criminology, Washington, DC. (Conference canceled)

Stafford, M. C., & **J. Schildkraut**. (2020). *Understanding mass shootings as a function of routine activities*. Paper accepted for presentation at the Annual Meeting of the American Society of Criminology, Washington, DC. (Conference canceled)

Finnerty, A.*, **J. Schildkraut**, & A. B. Nickerson. (2020). *Do lockdown drills produce anxiety? An assessment of student responses*. Paper accepted for presentation at the Annual Meeting of the American Society of Criminology, Washington, DC. (Conference canceled)

Florczykowski, A.*, **J. Schildkraut**, & A. B. Nickerson. (2020). *Assessing the impact of lockdown drills on students' perceived safety and preparedness*. Paper accepted for presentation at the Annual Meeting of the American Society of Criminology, Washington, DC. (Conference canceled)

Schildkraut, J., & M. C. Stafford. (2020). *Understanding mass shootings as a function of routine activities*. Paper accepted for presentation at the Annual Meeting of the Academy of Criminal Justice Sciences, San Antonio, TX. (Conference canceled)

Schildkraut, J., & K. Klingaman*. (2019). *Evaluating school safety and preparedness: Findings from implementing an emergency response protocol*. Paper presented at the Annual Meeting of the American Society of Criminology, San Francisco, CA.

- Schildkraut, J.**, B. Naman*, & M. C. Stafford. (2018). *Responding to mass shootings with a routine activity approach*. Paper presented at the Annual Meeting of the American Society of Criminology, Atlanta, GA.
- Sokolowski, E.*, & **J. Schildkraut**. (2018). *The survivor network: The role of shared experiences in mass shooting recovery*. Paper presented at the Annual Meeting of the American Society of Criminology, Atlanta, GA.
- Cary, J.*, E. R. Bovier, A. Bergin*, & **J. Schildkraut**. (2018). *Raising awareness of secondary trauma with community engagement events on mass shootings and school safety*. Poster presented at the Annual Meeting of the Eastern Psychological Association, Philadelphia, PA.
- McHale, R.*, & **J. Schildkraut**. (2018). *Covering rampage: News consumers' perceptions about mass shootings in the media*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, New Orleans, LA.
- Schildkraut, J.**, & J. Gruenewald. (2017). *Blurring the lines: News media framing of ideological and non-ideological mass shootings*. Paper presented at the Annual Meeting of the American Society of Criminology, Philadelphia, PA.
- Schildkraut, J.**, K. Jennings, V. Terranova, & C. M. Carr*. (2017). *A tale of two universities: A red state-blue state comparison of college students' attitudes of concealed carry on campus policies*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Kansas City, MO.
- Schildkraut, J.**, R. Lee, H. J. Elsass, & C. M. Carr*. (2016). *Context matters: Examining mass shootings and the role of county and state level correlates*. Paper presented at presentation at the Annual Meeting of the American Society of Criminology, New Orleans, LA.
- McKenna, J. M., **J. Schildkraut**, & H. J. Elsass. (2016). *Rethinking crisis communications on campus: An evaluation of faculty and staff perceptions about emergency notifications*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Denver, CO.
- Elsass, H. J., & **J. Schildkraut**. (2016). *Mass shootings by the numbers: Understanding the myths and realities*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Denver, CO.
- Elsass, H. J., **J. Schildkraut**, & T. C. Hernandez. (2015). *Increasing guardianship in schools after mass shootings: A routine activities approach*. Paper presented at the Annual Meeting of the American Society of Criminology, Washington, DC.
- Meredith, K.*, **J. Schildkraut**, & H. J. Elsass. (2015). *Mass shootings and the media: Why all events are not created equal*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Orlando, FL.
- Elsass, H. J., **J. Schildkraut**, & M. C. Stafford. (2014). *Measurement issues and violent episodic crime: Some thoughts and considerations*. Invited paper presented at the Annual Meeting of the American Society of Criminology, San Francisco, CA.
- Hernandez, T. C., **J. Schildkraut**, & H. J. Elsass. (2014). *The Sandy Hook Elementary School shooting and changes in mental health legislation: A review of the evidence*. Paper presented at the Annual Meeting of the American Society of Criminology, San Francisco, CA.

- McKenna, J. M., **J. Schildkraut**, & H. J. Elsass. (2014). *Understanding crisis communications: Examining students' perceptions about campus notification systems*. Paper presented at the Annual Meeting of the Homicide Research Working Group, San Antonio, TX.
- Schildkraut, J.**, H. J. Elsass, & M. C. Stafford. (2014). *Modifying target suitability following the Boston Marathon bombing: A routine activities approach*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Philadelphia, PA.
- Elsass, H. J., **J. Schildkraut**, T. Arford, & M. C. Stafford. (2014). *The effect of the Boston Marathon bombing on fear of crime among college students*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Philadelphia, PA.
- Schildkraut, J.**, H. J. Elsass, & M. C. Stafford. (2014). *As seen in the news: Media effects on fear of crime and moral panics*. Paper presented at the Annual Meeting of the American Society of Criminology, Atlanta, GA.
- Elsass, H. J., **J. Schildkraut**, & M. C. Stafford. (2013). *Connecting the dots: Assessing the relationship between fear of crime and moral panics*. Paper presented at the Annual Meeting of the American Society of Criminology, Atlanta, GA.
- Schildkraut, J.**, A. M. Donley, & S. R. Taylor. (2013). *Headlines in white (not black): Examining newsworthiness of homicide in New Orleans, LA*. Paper presented at the Annual Meeting of the Homicide Research Working Group, Brunswick, GA.
- Schildkraut, J.** & T. C. Hernandez. (2013). *Laws that bit the bullet: A review of legislative responses to school shootings*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Dallas, TX.
- Schildkraut, J.**, & M. C. Stafford. (2013). *Researching professionals or professional researchers? A comparison of professional doctorates and Ph.D. programs in C.J.* Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Dallas, TX.
- Elsass, H. J., **J. Schildkraut**, & M. C. Stafford. (2013). *Could it happen here? Moral panics, school shootings, and fear of crime among college students*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Dallas, TX.
- Schildkraut, J.**, A. M. Donley, & M. Gualtieri. (2012). *Atypical and a typical homicide: Testing a reporter's decision to publish*. Paper presented at the Annual Meeting of the American Society of Criminology, Chicago, IL.
- Schildkraut, J.** (2012). *The monster is in control of the remote: Issues of mediatized violence and school shootings*. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, New York, NY.
- Schildkraut, J.**, & E. E. Mustaine. (2011). *Movin', but not on up to the east side: Foreclosures and crime in Orlando, FL*. Paper presented at the Annual Meeting of the American Society of Criminology, Washington, D.C.
- Schildkraut, J.** (2011). *Homicide in the headlines: An analysis of the newspaper reporting of Baltimore homicides of 2010*. Paper presented at the Homicide Research Working Group Session Meeting at The American Society of Criminology, Washington, D.C.

Schildkraut, J., & A. M. Donley. (2011). *The Taj MaHoops and the impact on Parramore, an Orlando neighborhood*. Paper presented at the Annual Meeting of the American Sociological Association, Las Vegas, NV.

Schildkraut, J. (2011). *Media and mayhem: A comparative analysis of the reportings of the Virginia Tech massacre*. Paper presented at the Annual Meeting of the Society for the Study of Social Problems, Las Vegas, NV.

Schildkraut, J., & A. M. Donley. (2011). *Murder in black: A media distortion analysis of homicides in Baltimore*. Paper presented at the Annual Meeting of the Homicide Research Working Group, New Orleans, LA.

Schildkraut, J. (2011). *Lessons from Virginia Tech: An examination of emergency response plans in Florida's state universities*. Paper presented at the Annual Meeting of the Southern Sociological Society, Jacksonville, FL.

Schildkraut, J., & B. M. Hanson. (2011). *Murder in prime time: An analysis of the depiction of homicide in crime dramas*. Paper presented at the Annual Meeting of the Southern Sociological Society, Jacksonville, FL.

Schildkraut, J. (2011). *Baltimore homicides in the news*. Paper presented at the Annual Meetings of the Southern Criminal Justice Association, Clearwater, FL.

TEACHING EXPERIENCE

^fFace-to-face; ^oOnline. Courses are offered at the undergraduate level unless otherwise noted.

Courses Taught

SUNY Oswego

Introduction to Criminal Justice (CRJ 101) ^f
 First Year Signature Course: Mass Shootings in America (CRJ 198) ^f
 American Criminal Courts and Judicial Process (CRJ 220) ^{f, o}
 Organizational Structure and Communication (PBJ 301) ^o
 The Study of Homicide and Lethal Violence (CRJ 312) ^{f, o}
 The Death Penalty (CRJ 313) ^{f, o}
 Crime and the Media (CRJ 330) ^o
 Crime Theories and Victimization (CRJ 333) ^{f, o}
 Organized Crime (CRJ 366) ^o
 Research Methods for Criminal Justice (CRJ 387) ^{f, o}
 Data Analysis (CRJ 388) ^{f, o}
 Practicum in Criminal Justice (PBJ 397) ^o
 Independent Readings/Studies (CRJ 399) ^f
 Seminar in Criminal Justice (CRJ 401) ^{f, o}
 Mass Shootings in Society (CRJ 412) ^{f, o}
 Practicum in Teaching Public Justice (CRJ 490) ^f

University at Albany-SUNY (Adjunct)

Mass Shootings in Society [Graduate] (RCRJ 659) ^o

*Texas State University*Introduction to Criminal Justice (CJ 1310)^fResearch Methods (CJ 3346)^fSerial Murder (CJ 4331)^fCrime Theories and Victimization (CJ 4340)^f**Thesis and Dissertation Committees***Dissertation Committee Member*

2023-2024 Gregory Lawson, Le Moyne College.

2022-2023 Jennifer LaRose, Louisiana State University.

2020-2023 Charlotte Berger, Pace University.

2020-2022 Jeremy Morton, Fielding Graduate University.

Master's Thesis Committee Member

2023-Present Brynn Schutter, University of Arkansas.

2019 Sarah Rosenbloom, Loyola University (New Orleans).

2018-2019 Megan Olive, University of Central Florida.

2018 Kylei Brown, Michigan State University.

Undergraduate Thesis Committee Member

2020 Kirsten Klingaman, State University of New York at Oswego (Chair).

AWARDS AND HONORS

2019	Community Service Award, Onondaga County (NY) District Attorney's Advisory Council.
2016	Nominee, President's Award for Academic Excellence in Academic Advisement, State University of New York at Oswego.
2015	SAGE Junior Faculty Professional Development Award, Academy of Criminal Justice Sciences.
2014	Richard Block Award for Outstanding Dissertation, Homicide Research Working Group.
2014	Outstanding Doctoral Student, Texas State University.
2014	Student Paper Competition Winner, Academy of Criminal Justice Sciences.
2013	Outstanding Doctoral Student, Texas State University.
2013	Graduate College Dissertation Stipend (\$2,000), Texas State University.
2012	Teaching with Sakai Innovation Award Winner (Higher Education: Face-to-Face Category), Jasig/Sakai.
2011	Richard Block Award for Outstanding Thesis, Homicide Research Working Group.
2011	Alpha Kappa Delta International Honors Society Inductee.

SERVICE AND ACTIVITIES

University and Department Service

Department Service

2021-2023 Personnel Committee, Department of Criminal Justice.
 2021-2023 Faculty Search Committee, Department of Criminal Justice.
 2017-2023 First Year Advisor, Department of Criminal Justice.
 2017-2019 Department Liaison for David F. Cutler '74 Public Justice Excellence Fund, Department of Criminal Justice.
 2017-2018 Peer Mentor, Department of Public Justice.
 2015-2017 Faculty Advisor, Public Justice Club, Department of Public Justice.
 2014-2019 Faculty Search Committee, Department of Public/Criminal Justice.
 2014-2018 Curriculum Development Committee, Department of Public Justice.

University Service

2022-2023 Campus Safety Advisory Committee, State University of New York at Oswego.
 2021-2022 Student SCA Subcommittee Co-Chair, Scholarly and Creative Activities Committee, State University of New York at Oswego.
 2020-2023 Scholarly and Creative Activities Committee, State University of New York at Oswego.
 2019-2023 New Faculty and Professional Staff Orientation Committee, State University of New York at Oswego.
 2017-2019 Human Subjects Committee, State University of New York at Oswego.
 2016-2021 Personal Safety Committee, State University of New York at Oswego.
 2015-2023 Student Conduct Committee, State University of New York at Oswego.
 2015-2019 Campus Technology Advisory Board, State University of New York at Oswego.

Professional Service

Manuscript Reviews

American Journal of Criminal Justice; Crime Media Culture; Crime Prevention and Community Safety; Criminal Justice and Behavior; Criminal Justice Review; Criminal Justice Studies; Criminology & Public Policy; Homicide Studies; Humanities and Social Sciences Communications; Injury Epidemiology; International Social Science Journal; Journal of American College Health; Journal of Criminal Justice and Popular Culture; Journal of Criminal Justice Education; Journal of Criminology; Journal of Mass Violence Research; Journal of Police and Criminal Psychology; Journal of Qualitative Criminal Justice and Criminology; Journal of Risk Research; Journal of School Violence; Journal of Youth Studies; Journalism and Mass Communication Quarterly; Justice Evaluation Journal; Justice Quarterly; Security Journal; Social Problems; Sociological Forum; Sociological Inquiry; The Communication Review; Violence and Gender; Violence and Victims

Grant Proposal Reviews

2022 Office of Juvenile Justice and Delinquency Prevention (OJJDP)
 2020 Centers for Disease Control (CDC)
 2020 Office of Justice Programs (OJP) / National Institute of Justice (NIJ)

Book Manuscript/Proposal Reviews

2020 Rowman & Littlefield
 2019 University of Michigan Press
 2019 Routledge (Taylor & Francis Group)
 2018 Rowman & Littlefield
 2017 Oxford University Press
 2011-2012 Emerald Publishing (External Reviewer for "School Shootings: Mediatized Violence in a Global Age")

Other Professional Service

2023-Present Associate Editor, Homicide Studies.
 2021-2022 Research Consultant, Mass Casualty Commission, Halifax, Nova Scotia, Canada.
 2021-2022 Research Consultant, National Center for School Safety, Ann Arbor, MI.
 2021-2023 Consultant, Madison-Oneida BOCES, Verona, NY.
 2021-2022 Consultant, Reading School District, Reading, PA.
 2020-Present Co-Editor and Founder, Journal of Mass Violence Research.
 2020-2021 Research Consultant, Jamesville-Dewitt School District.
 2020-Present Research Consultant, Safe Schools for Alex, Parkland, FL.
 2020-Present Editorial Board, Journal of Qualitative Criminal Justice and Criminology.
 2020-Present Editorial Board, Journal of School Violence.
 2020-Present Editorial Board, Journal of Criminal Justice and Popular Culture.
 2020-2021 Newsletter Committee, Division of Victimology, American Society of Criminology.
 2020-2021 Treasurer, Division of Victimology, American Society of Criminology.
 2018-Present Researcher, Regional Gun Violence Research Consortium / States for Gun Safety, Rockefeller Institute of Government, Albany, NY.
 2018-2020 Chair, Fayetteville-Manlius (NY) Central School District School Safety Task Force.
 2018-Present Member/Report Writer, Onondaga County (NY) School Safety Task Force.
 2018-2020 Member, Skaneateles (NY) School Safety Task Force.
 2018-Present Research Consultant, No Notoriety, Phoenix, AZ.
 2016-2017 Program Committee and Chair of "Media and Social Construction of Crime" section, Annual Meeting of the American Society of Criminology, Philadelphia, PA.
 2015-2021 Treasurer, Criminal Justice Educators Association of New York State.
 2014-Present Research Consultant, Safe and Sound Schools, Newtown, CT.
 2014-2017 Website Administrator, Homicide Research Working Group.
 2014-2015 Membership Coordinator, Homicide Research Working Group.
 2013-2014 Program Co-Chair for Annual Meeting, Homicide Research Working Group.

2013-2014	Local Arrangements Committee, Homicide Research Working Group.
2013	Content Consultant, "Newtown School Shootings" by Lisa Owings, Red Line Editorial, Burnsville, MN.
2012-2013	Qualitative Research Analyst, Bexar County (TX) Probation Department.
2012-2013	Research Assistant, "Windows into the Soul: Surveillance and Society in the Age of High Technology" by G. T. Marx, University of Chicago Press, Chicago, IL.
2011-2015	Merchandise Committee, Homicide Research Working Group.
2011-2012	Site Selection Committee, Homicide Research Working Group.
2011	Data Coder, Active Shooters Database, Advance Law Enforcement Rapid Response Training (A.L.E.R.R.T.) Center, San Marcos, TX.
2011	Research Assistant, "Student Handbook to Sociology Research Methods, Volume II" by A. M. Donley, Facts on File, Inc., New York, NY.
2011	Research Assistant, HUD-mandated annual Homeless Point-in-Time Count for Central Florida region, Homeless Services Network, Orlando, FL.

Selected Media Contributions

Full list of media appearances available at <http://www.jaclynschildkraut.com/in-the-news/>

2024	USA Today , CNN , Newsweek , The Trace , Politifact , Forbes , The Texas Tribune
2023	The New York Times , Los Angeles Times , San Francisco Chronicle , The Washington Post , BBC , The 74
2022	CNN , New York Magazine , Politifact , Texas Tribune , Los Angeles Times , San Francisco Chronicle , Vox , CBC News , Denver Post , The New York Times , TribLive
2021	CNN , The New York Times , The 74 , Smithsonian Magazine , National Public Radio , Denver Post , ABC News / World News Now , Business Insider , SunSentinel
2020	The Conversation , The Trace , Scripps National
2019	Huffington Post , Reuters , The Hill , The Washington Post , Associated Press , The Atlantic , Vanity Fair Italy , Colorado Public Radio , NBC News , Teen Vogue , The Conversation , The Crime Report , WebMD
2018	The Washington Post , Huffington Post , The Hill , BBC News , Buzzfeed News , CBS News , Vox , Las Vegas Review-Journal
2017	The Telegraph (UK) , The Washington Post , The Wall Street Journal
2016	Christian Science Monitor , Vice , The Guardian
2015	The Washington Post , The Wall Street Journal , WORLD Magazine
2014	National Public Radio
2013	Popular Science

Professional Development

2020	ACUE Course in Effective Teaching Practices, Oswego, NY.
2018	Digital Storytelling, Digital Humanities Summer Institute, Victoria, BC.
2012	Introduction to Geographic Information Systems, Summer Statistics Institute, University of Texas, Austin, TX.

PROFESSIONAL AFFILIATIONS

2023-Present Society for Advancement of Violence and Injury Research
2021-Present Division of Public Opinion and Policy, American Society of Criminology
2020-2022 Division of Victimology, American Society of Criminology
2014-Present Criminal Justice Educators Association of New York State
2011-Present Academy of Criminal Justice Sciences
2011-Present Homicide Research Working Group
2010-Present American Society of Criminology

EXHIBIT B*Mass Shootings in New York State Since 1966*

DATE	LOCATION	LOCATION TYPE	KILLED	INJURED
12/30/1974	Olean, NY	School	3	11
2/14/1977	New Rochelle, NY	Workplace	6	4
2/26/1992	Brooklyn, NY	School	2	0
10/15/1992	Watkins Glen, NY	Workplace	4	0
12/7/1993	Hicksville, NY	Railroad Car	6	19
2/23/1997	New York, NY	Tourist Attraction	1	6
2/13/2005	Kingston, NY	Mall	0	2
9/27/2005	New Windsor, NY	Workplace	1	2
8/30/2007	Bronx, NY	Workplace	1	2
2/14/2009	Brockport, NY	Multiple Locations	4	0
4/3/2009	Binghamton, NY	Immigration Center	13	4
8/14/2010	Buffalo, NY	Restaurant	4	4
3/13/2013	Herkimer, NY	Multiple Locations	4	2
12/20/2014	Brooklyn, NY	Multiple Locations	2	1
6/30/2017	Bronx, NY	Hospital	1	6
11/3/2018	Watertown, NY	Nightclub	0	5
12/12/2020	Copiague, NY	Restaurant	2	2
4/20/2021	West Hempstead, NY	Convenience Store	1	2
4/12/2022	New York, NY	Subway	0	10
5/14/2022	Buffalo, NY	Grocery Store	10	3

EXHIBIT C

Mass Shootings by Year, 1966-2023

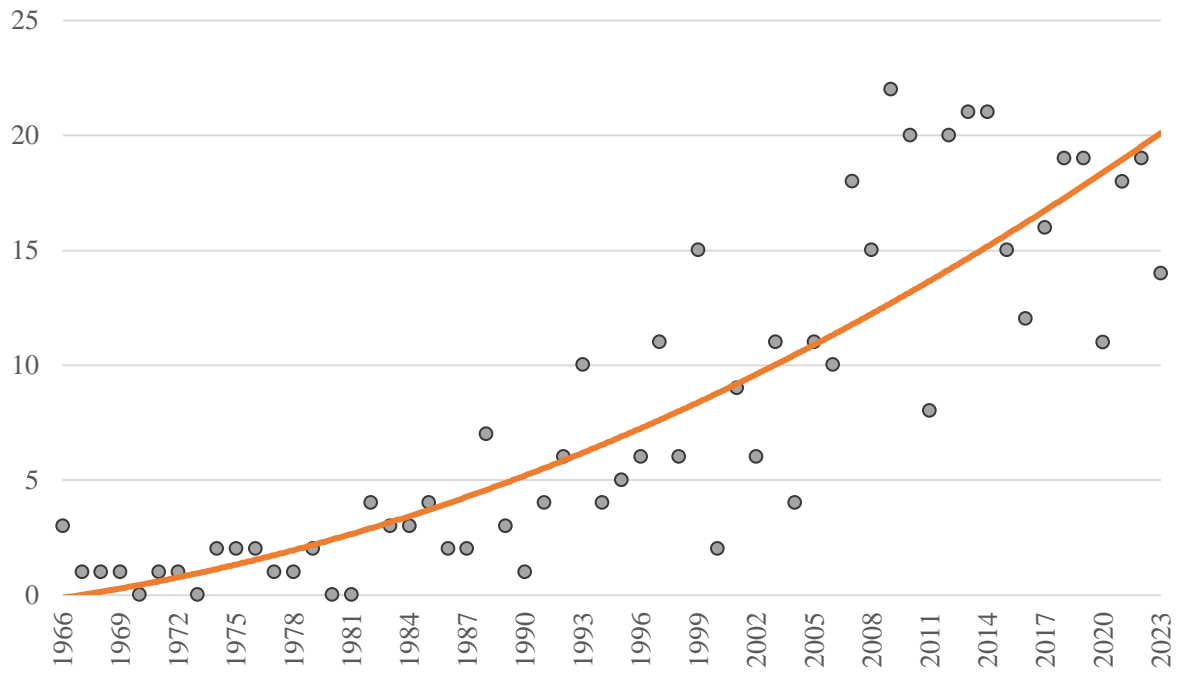
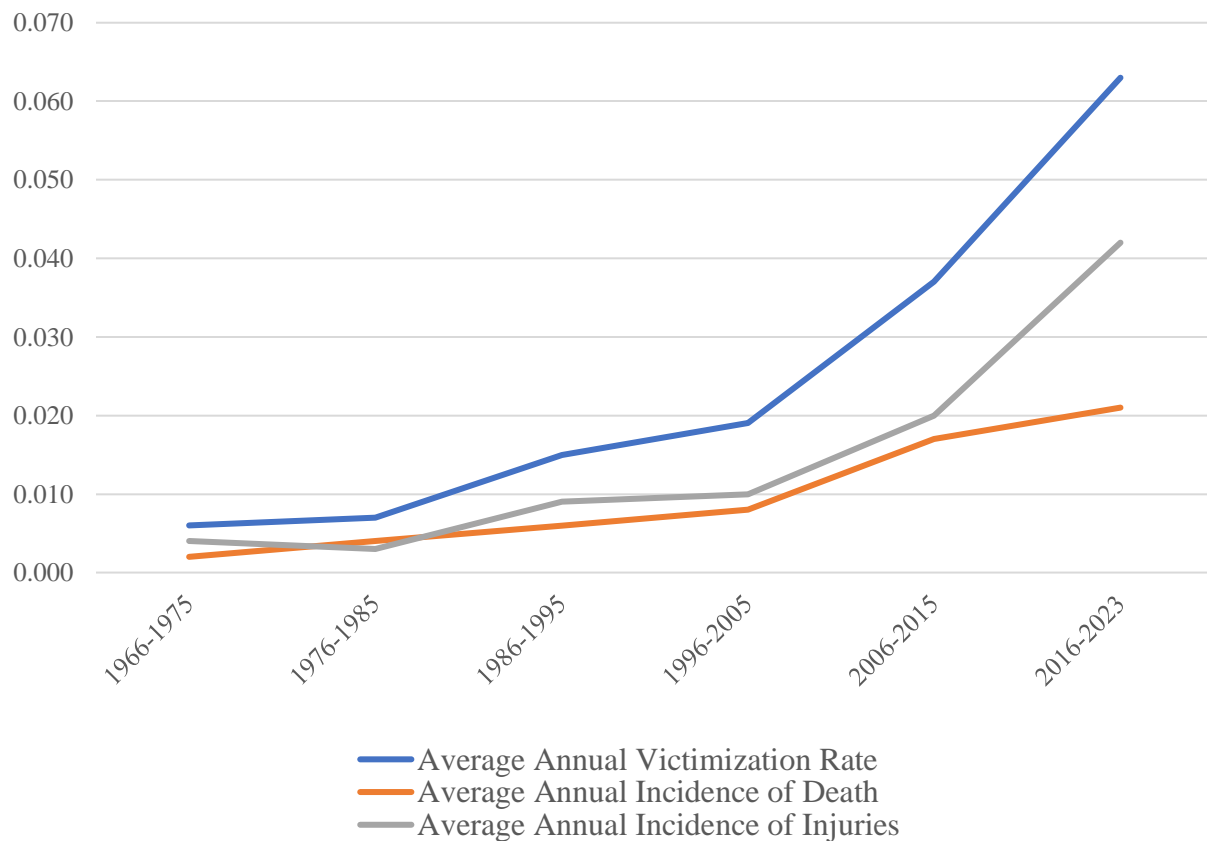


EXHIBIT D**Average Annual Incidence Rates of Victimization Due to Mass Shootings, 1966-2023**

Note. The above figure includes the 2017 Las Vegas, NV, mass shooting. With these casualties, the average annual victimization rate for 2016-2023 is 0.063 per 100,000 people; the average annual incidence of death is 0.021 and injuries is 0.042. With the Las Vegas shooting excluded, these figures are 0.046, 0.019, and 0.027, respectively.